

**Writing Sample**

I prepared this brief for the spring quarter of my Legal Research and Writing class at the University of Chicago Law School. For this assignment I represented appellant Danny Midway, who is appealing to the Seventh Circuit a holding by the district court that he lacks Article III standing. The assignment required independent research into the relevant case law. This writing sample represents my independent work. I did not receive editing help on the preliminary draft, submitted draft, or the version I submit to you today.

## STATEMENT OF ISSUES

1. Whether the district court erred when it held Datavault's data breach, which exposed Danny Midway's social security number, credit card information, and other personal information to hackers, did not result in an injury in fact sufficient for Article III standing.
2. Whether Datavault's data breach caused judicially redressable injuries sufficient for Article III standing.

## STATEMENT OF THE CASE

### I. Statement of Facts

#### A. Datavault Failed to Protect Users' Sensitive Information from Hackers.

Davidson Datavault, LLC provides users with a digital vault to store usernames, passwords, and personal data. R3. Datavault markets itself as a service that protects customer privacy in a world plagued by online fraud and data breaches. *Id.*

To access the digital vault, users create a username and password. *Id.* Datavault creates an internal ID for each user. *Id.* The internal ID contains the user's first name, last name, and social security number. *Id.* Datavault also stores an encrypted version of users' vault password. R4. The encryption technology is the same used by Kovvali Industries in 2013 when it was hacked; researchers studying the hack could decrypt the stolen Kovvali Industries passwords in under two hours. R1 n.1.

To run its website, Datavault uses Shaffer Software. R5. On September 1, 2020, the Department of Homeland Security provided notice that Shaffer Software had a security vulnerability and that all users should immediately update to the latest version. R4. Datavault failed to update the software until October 1, 2020. R5.

Datavault's delay permitted hackers to exploit the vulnerability with an Alison Attack. *Id.* Hackers stole all Datavault users' internal IDs and encrypted vault passwords. *Id.* The hackers also downloaded the digital vaults. *Id.*

**B. Datavault's Data Breach Led to Financial and Emotional Harms for Danny Midway.**

Danny Midway is a recent college graduate and small business owner. R2. His small business sells collegiate apparel online and relies on bulk purchasing on credit to meet customers' demands. *Id.* Because credit and an online presence are vital to Midway's business, he used Datavault to protect and manage his credit card and password information. *Id.*

Datavault's data breach in September 2020 led to the theft of Midway's Datavault digital vault, which contained usernames and passwords for all his business's social media accounts, online storefronts, and finances; Midway's Datavault internal ID, which contained his social security number and full name; and Midway's encrypted Datavault password, which could be unencrypted with known methods. R5.

Midway is a previous victim of credit card fraud and thus knew what to do to prevent subsequent fraud and identity theft. R8. Midway accepted Datavault's offer of one year of free credit monitoring and identity theft services. R6. Midway also monitored his financial accounts every day and spent ten hours changing his passwords. *Id.* Because his business ran on tight margins that fraud or identity theft could threaten, Midway cancelled his credit card and placed a security freeze on his credit report. R6–8.

These measures to prevent harm after Datavault's data breach had deleterious consequences for Midway's business. Without a credit card and unable to open a new one due to the credit freeze, Midway could not obtain the inventory he needed to meet customer demand. R7. From October through November, Midway could only fulfill 100 out of 4,000 orders; he had

to cancel the remaining 3,900 orders. *Id.* Midway opened a new credit card in December 2020, but by that point the financial damage from the lost 3,900 orders had been done. *Id.*

The financial effects of Datavault’s data breach and fear of identity theft led to substantial emotional distress. *Id.* The data breach exacerbated the anxiety from which Midway already suffered; he spent several sessions discussing the additional stress with his therapist. R8. The anxiety from Datavault’s data breach also led to insomnia and trouble focusing on his work. *Id.*

## II. Proceedings Below

Midway filed suit against Datavault on March 1, 2021, asserting claims of negligence and implied breach of contract. R8. Midway argued that due to the data breach, he (i) has an increased risk of identity theft and fraudulent credit charges; (ii) incurred costs to monitor and alter his financial accounts, including costs to his business; and (iii) suffered from emotional distress. R9–10. Midway argued any and all of these harms were an injury in fact. R10.

Datavault argued Midway lacked Article III standing, and the district court agreed. R9. The trial court only examined the requirement for injury in fact and held Midway’s harms were insufficient. *Id.* The district court held Midway had failed to allege that he or any other Datavault user had experienced “fraudulent charge[s] or other symptoms of identity theft” following the breach. R11. The district court held that without evidence of fraud, Midway did not show a substantial risk of harm and could not manufacture standing through incurring protective costs. *Id.*

The district court granted Datavault’s motion to dismiss under Rule 12(b)(1), dismissed Midway’s complaint without prejudice, and entered judgment in favor of Datavault. *Id.* This timely appeal followed.

### SUMMARY OF THE ARGUMENT

The district court erred when it dismissed Midway's suit for lack of standing due to lack of injury in fact. Midway's three alleged harms are all injuries in fact.

The first harm, an increased risk of identity theft and fraudulent credit charges, has precedential support as an injury in fact. This Court has previously held that hacks by their nature increase the risk of fraud and identity theft, and this increased risk is an injury in fact. Based on this precedent, this Court should reverse the district court's holding that Midway's increased risk of harm from the data breach was insufficient for standing.

The second harm, Midway's incurred costs to monitor and alter his financial accounts, including costs to his business, also has precedential support as an injury in fact. The record indicates harm was imminent, and this Court has held that money and time spent protecting oneself against imminent harm is an injury in fact.

The third harm, emotional distress, is also an injury in fact. While minor emotional distress is not an injury in fact, physical manifestations of emotional distress and medical diagnoses arising from emotional distress are injuries in fact. Midway experienced physical manifestations of stress from the data breach and required additional medical treatment due to stress, both of which are injuries sufficient for Article III standing.

While the district court did not address causation and judicial redressability, both are met based on the facts provided. Midway thus has Article III standing, and this case should be remanded to the district court for proceedings on the merits.

## ARGUMENT

### I. Standard of Review

This Court reviews dismissals for lack of Article III standing *de novo*. *Remijas v. Neiman Marcus Group, LLC*, 749 F.3d 688, 691 (7th Cir. 2015).

### II. The District Court Erred When It Held Midway Lacked Article III Standing.

The Supreme Court has established three requirements to show standing: “(i) that [the plaintiff] suffered an injury in fact that is concrete, particularized, and actual or imminent; (ii) that the injury was likely caused by the defendant; and (iii) that the injury would likely be redressed by judicial relief.” *TransUnion, LLC v. Ramirez*, 141 S. Ct. 2190, 2203 (2021) (citing *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992)).

The district court applied the correct standard but improperly interpreted the requirements for injury in fact. Because injury in fact is the only factor the district court examined, this brief will focus on showing that Midway’s injuries granted him Article III standing. Causation and redressability were also met and will be briefly addressed, but any remaining substantial questions should be remanded to the district court for further consideration.

### III. Datavault’s Data Breach Created Injury in Fact for Midway Through Increased Risk of Fraud and Identity Theft, the Cost of Protective Measures, and Emotional Damage.

The district court improperly dismissed the injuries in fact that Datavault inflicted on Midway. Midway’s harms from Datavault’s data breach included (i) an increased risk of identity theft and fraudulent credit charges; (ii) costs to monitor and alter his financial accounts, including costs to his business; and (iii) emotional distress. This Court in previous cases has acknowledged all three of these harms as injuries in fact.

**A. Midway Experienced an Increased Risk of Identity Theft and Fraudulent Credit Card Charges, Which This Court Has Recognized as an Injury in Fact.**

**1. Hacks by Their Nature Create Increased Risks of Fraud and Identity Theft.**

This Court’s leading data breach case *Remijas v. Neiman Marcus*, 749 F.3d 688 (7th Cir. 2015) established that an increased risk of credit card fraud and identity theft is an injury in fact. In *Remijas* a class of shoppers whose credit card information was potentially exposed in a hack of Neiman Marcus sued the retailer for damages arising from exposure of their private information. *Id.* at 690. Even though only a small fraction of the class had experienced fraudulent charges, this Court held that an increased risk of fraudulent charges and identity theft were injuries in fact sufficient for Article III standing for the entire class. *Id.* at 690, 692.

The *Remijas* court cited *Clapper v. Amnesty Int’l USA*, 568 U.S. 398 (2013) in its holding. The Supreme Court in *Clapper* held that future harms can be injuries in fact if they are “certainly impending” as opposed to mere “allegations of possible future injury.” *Remijas*, 749 F.3d at 692 (citing *Clapper*, 568 U.S. at 409). However, the Supreme Court in *Clapper* explicitly rejected that “certainly impending” means “literally certain”; it can also mean “a ‘substantial risk’ that harm will occur.” *Id.* at 693 (quoting *Clapper*, 568 U.S. at 414 n. 5).

This circuit in *Remijas* found that hacks by their nature create this substantial risk. This Court wrote, “Why else would hackers break into a store’s database and steal consumers’ private information? Presumably the purpose of the hack is, sooner or later, to make fraudulent charges or assume those consumers’ identities.” *Id.* at 693. It worried that forcing plaintiffs to wait until fraud or theft occurs would make proving the causal relationship to the hack difficult, which would protect negligent defendants. *Id.* (citing *In re Adobe Sys.*, 66 F.Supp.3d 1197, 1215 n. 5 (N.D. Cal. 2014)).

This previous holding that hacks by their nature create an injury in fact shows that the district court erred when it held Midway's increased risks of identity theft and fraud were not injuries in fact. Hackers stole Midway's sensitive information from Datavault. Like in *Remijas*, an assumption should be made that the Datavault hackers stole Midway's information with the intent of committing fraud or identity theft. *Id.* at 690. The nature-of-a-hack reasoning from *Remijas* pushes the increased risks of fraud or identity theft from "allegations of possible future harm" to "certainly impending" harms, which are injuries in fact for Article III standing. *Id.* at 692 (citing *Clapper*, 568 U.S. at 409).

Indeed, Datavault's data breach is even more likely to create impending harm than the breach in *Remijas*. The Datavault hackers targeted a company that primarily holds sensitive information. As this Court wrote, hackers only steal information they plan to misuse. *Id.* at 690. While the password to access Midway's data vault is encrypted, hackers sophisticated enough to launch this type of hack will be sophisticated enough to unencrypt passwords. *See* R1 n.1 (unencrypting passwords encrypted with the same technology Datavault uses only took two hours). Thus, Midway has a substantially increased risk of experiencing credit card fraud and identity theft from Datavault's data breach, which is an injury in fact for Article III standing.

## **2. The District Court Improperly Applied the Standard from *Remijas*.**

The district court in this case erred when it failed to apply the proper standard from *Remijas*. Instead of the controlling standard from *Remijas*, the district court relied upon a rule improperly crafted in the nonbinding case *Kylie S. v. Pearson PLC*, 475 F.Supp.3d 841 (N.D. Ill. 2020). R10.

The district court in *Kylie* improperly created a rigid rule from the more liberal *Remijas* standard. The *Kylie* court derived two factors from *Remijas* for determining if there is a material



threat of identity theft: “(i) the sensitivity of the data in question . . . and (ii) the incidence of fraudulent charges and other symptoms of identity theft.” R10 (citing *Kylie*, 475 F.Supp.3d at 846). While *Kylie* cites *Remijas*, the *Remijas* court did not create the rigid rule espoused in *Kylie*. Instead, it created a liberal standard based on the nature of a hack. *See Remijas*, 749 F.3d at 693. The rigid rule should not have been created in *Kylie* and should not have been applied to Midway’s injuries.

But even if this circuit embraces the *Kylie* rule, Midway still experienced an injury in fact. The *Kylie* rule only addresses an increased risk of identity theft, not credit card fraud. *See Kylie*, 475 F.Supp.3d at 846 (“Whether a data breach exposes consumers to a material threat of *identity theft* turns on two factors that derive from *Remijas*”) (emphasis added). Due to material differences in credit card fraud and identity theft (e.g., credit card fraud is easier to commit), the rule from *Kylie* does not prevent an increased risk of credit card fraud from constituting an injury in fact.

### **3. *TransUnion* and *Pierre* Do Not Apply to Cases Like Midway’s Where There Are Concrete and Ongoing Risks Created by a Data Breach.**

The Supreme Court case *TransUnion, LLC v. Ramirez*, 141 S. Ct. 2190 (2021) does not foreclose standing for Midway. The plaintiffs in *TransUnion* alleged risks that were purely hypothetical, which are fundamentally different from the concrete risks Midway alleges. For this reason, the holding from *TransUnion* does not control in Midway’s case.

In *TransUnion* a class sued a credit reporting agency for incorrectly identifying individuals as “specially designated nationals” on credit reports, a designation that prevented class members from receiving credit. *TransUnion*, 141 S. Ct. at 2201–02. The class consisted of those whose incorrect credit reports had been sent to third parties and those whose incorrect credit reports had not been sent to third parties. *Id.* at 2202. The Court held that only those whose

incorrect reports had been sent to third parties had standing. *Id.* at 2209. Those whose incorrect reports had not been sent to third parties did not have standing because they could not show a concrete injury in fact. *Id.* at 2212.

The plaintiffs in *TransUnion* alleged only hypothetical harms, which are different from the concrete and ongoing harms that Midway alleges. In *TransUnion*, TransUnion either harmed or did not harm plaintiffs: incorrect reports were either sent or not sent. TransUnion also corrected its error, creating no risk of future harm for those whose reports had not been sent. *Id.* at 2202. Midway's injury is different. Midway's private information—his social security number, credit card information, and passwords—were stolen. Once private information becomes public, it cannot become private again. Unlike TransUnion in *TransUnion*, Datavault created a real and ongoing risk of fraud or theft for Midway that cannot be corrected. Because Midway's injury is concrete and not purely hypothetical, *TransUnion* is inapplicable.

For similar reasons *Pierre v. Midland Credit Management, Inc.*, 29 F.4th 934 (7th Cir. 2022) does not jeopardize Midway's standing. This Court in *Pierre*, relying on *TransUnion*, held that plaintiffs did not experience a concrete injury based solely on the risk that those in the class could have been tricked by a letter. *Pierre*, 29 F.4th at 937. The risk in *Pierre* was a purely hypothetical harm like the harm alleged in *TransUnion*. This hypothetical injury in *Pierre* is fundamentally different from the concrete risk of fraud and identity theft that Midway experiences. Thus, this Court's holding in *Pierre* is inapplicable to Midway's case.

**B. Datavault's Data Breach Led Midway to Incur Costs to Monitor and Alter His Financial Accounts to Prevent Imminent Injury, Which Is an Injury in Fact.**

**1. This Court's Precedent Shows that Credit Monitoring, Changing Passwords, Cancelling Credit Cards, and Freezing Credit Reports Are Injuries in Fact.**

This Court has held that actions undertaken to protect oneself from identity theft and fraud can constitute injuries in fact. While “plaintiffs ‘cannot manufacture standing by incurring

costs in anticipation of non-imminent harm,” *Remijas*, 794 F.3d at 694 (quoting *Clapper*, 568 U.S. at 1155), not all actions taken to protect oneself against further harm are manufactured harms. Actions taken to prevent or ameliorate an imminent harm are different from actions taken when harm is only speculative. *Id.*; see also *Lewert v. P.F. Chang’s China Bistro, Inc.*, 819 F.3d 963, 967 (7th Cir. 2016). In *Remijas* Neiman Marcus’s offer of credit monitoring and identity-theft protection after its breach showed a need for these services, and the need showed the harm was imminent and nonspeculative. *Remijas*, 794 F.3d at 694. Because the harm was imminent, actions taken by Neiman Marcus shoppers to prevent the harm, such as paying for credit monitoring services, “easily qualified as a concrete injury.” *Id.*

Midway and Datavault took several of the same protective measures as the plaintiffs and defendant in *Remijas*. After the data breach, Datavault offered free credit monitoring and identity fraud protection. Like in *Remijas*, this Court should interpret this action as recognition of a need for the services, which is also a recognition of an imminent, nonspeculative harm. *Id.* at 694; *Lewert*, 819 F.3d at 967. Because Midway’s harm after Datavault’s data breach was imminent, actions he took to protect himself from the harm are injuries in fact. Thus, the time Midway spent monitoring credit reports, changing passwords, cancelling credit cards, and freezing his credit report constitutes an injury in fact. See *Remijas*, 794 F.3d at 694; *Lewert*, 819 F.3d at 967.

## **2. Financial Harm to Midway’s Business Created an Injury in Fact.**

The Supreme Court in *TransUnion* found that financial harm is an injury in fact. In *TransUnion* the Supreme Court wrote that harms can be concrete injuries in fact if there is a “close relationship” to a harm “traditionally” recognized as providing a basis for a lawsuit. *TransUnion*, 141 S. Ct. at 2204 (citing *Spokeo, Inc. v. Robins*, 578 U.S. 330, 341 (2016)). However, the harm does not have to be an exact historical duplicate. *Id.* One of these traditional

harms that the court recognized as a concrete injury in fact was “physical or monetary injury to the plaintiff.” *Id.*

The business harm Midway experienced from Datavault’s data breach is a financial harm, which is an injury in fact under *TransUnion*. After the data breach, Midway froze his business’s credit line to prevent fraudulent charges. But this action also prevented Midway from purchasing on credit needed inventory to make sales, which created a financial harm. Midway’s financial harm was a direct result of protective measures he took to prevent the imminent threat from Datavault’s data breach. Protective measures after a data breach are harms traditionally recognized by this Court as concrete injuries in fact. See *Remijas*, 794 F.3d at 694; *Lewert*, 819 F.3d at 967. The loss in sales is also a monetary damage, which *TransUnion* stated is generally an injury in fact for Article III standing. *TransUnion*, 141 S. Ct. at 2204. Under this *TransUnion* standard, the financial harms Midway experienced to protect his business are injuries in fact.

### **C. Midway’s Physical and Medical Harms from Emotional Distress from the Data Breach Are Injuries in Fact.**

As a result of Datavault’s data breach, Midway experienced increased stress and anxiety. R8. The increased stress and anxiety gave him insomnia and made focusing difficult. *Id.* The data breach also forced him to attend additional therapy sessions to control his heightened anxiety. *Id.* These physical and medical harms from the emotional distress caused by the data breach are injuries in fact.

By itself, Midway’s emotional distress is not an injury in fact. The *Pierre* court held that confusion and worry are not concrete injuries. *Pierre*, 29 F.4th at 939 (citing *Markakos v. Medicredit, Inc.*, 997 F.3d 778, 781 (7th Cir. 2021)). Similarly, this Court in *Wadsworth* held that plaintiff’s “personal humiliation, embarrassment, mental anguish and emotional distress”

were insufficiently concrete injuries. *Wadsworth v. Kross, Lieberman & Stone, Inc.*, 12 F.4th 665, 668 (7th Cir. 2021).

Nonetheless, emotional distress can be a concrete injury in fact when there are physical manifestations of or medical diagnoses from the distress. The Supreme Court in *TransUnion* stated that at least some forms of emotional harm can be a concrete injury in fact. *See TransUnion*, 141 S. Ct. at 2211 (“Nor did those plaintiffs present evidence that the class members were independently harmed by their exposure to the risk itself—that is, that they suffered some other injury (such as an emotional injury) from the mere risk . . .”). This Court in *Pennell* stated stress without physical manifestations or a medical diagnosis is insufficient for a concrete injury, implying that physical manifestations of distress or a medical diagnosis would create an injury in fact. *Pennell v. Global Trust Management, LLC*, 990 F.3d 1041, 1045 (7th Cir. 2021) (citing *United States v. All Funds on Deposit with R.J. O'Brien & Assocs.*, 783 F.3d 607, 616 (7th Cir. 2015)).

Midway has experienced physical manifestations of his emotional distress and required additional medical care due to the data breach. As a result of the stress and anxiety from the data breach, Midway experienced insomnia and an inability to focus. R8. The stress from Datavault’s data breach also exasperated Midway’s anxiety. *Id.* While the data breach did not give Midway a new anxiety disorder, Datavault’s negligent management of Midway’s information inflamed a condition that was already present. These physical manifestations of emotional distress and the exasperation of a medical condition are injuries in fact under *Pennell* and *TransUnion*.

#### **IV. Datavault’s Data Breach Caused Midway’s Increased Risk of Identity Theft, Incurred Cost of Protective Measures, and Emotional Damage.**

The district court did not reach the question of causation. Nonetheless, the causation requirement for Article III standing is met under the facts provided.

This Court has held that the company that data is stolen from caused the injury to those whose private or financial information was stolen. *See Remijas*, 794 F.3d at 688; *Lewert*, 819 F.3d at 963. Applying this precedent, Datavault was the cause of Midway’s injuries for purposes of Article III standing.

This Court has rejected arguments that previous data breaches can negate causation. *See Remijas*, 794 F.3d at 696 (“The fact that . . . some other store *might* have caused the plaintiff’s private information to be exposed does nothing to negative the plaintiff’s standing to sue.”). The previous credit card fraud Midway experienced thus does not prevent Midway from showing that Datavault was the cause of his injury in this case.

Should this court have any remaining questions of causation, the case should be remanded to the trial court for additional fact finding.

#### **V. Midway’s Injuries Are Judicially Redressable Through Monetary Damages.**

The district court did not reach the question of judicial redressability, but Midway’s injuries are clearly redressable through judicial action. Midway’s injuries—the time and money spent on protective measures, the financial damage to his business, the cost of extra therapy, etc.—can all be redressed through monetary compensation.

Should this court have any remaining questions regarding judicial redressability, this case should be remanded to the trial court for additional fact finding.

### **CONCLUSION**

Danny Midway has Article III standing. The district’s court’s dismissal should be reversed and the case remanded for a trial on the merits.

## Applicant Details

First Name **Madison**  
 Middle Initial **L**  
 Last Name **Butler**  
 Citizenship Status **U. S. Citizen**  
 Email Address [madisb@umich.edu](mailto:madisb@umich.edu)

Address

Address
Street
<b>315 2nd St, Apt. 415</b>
City
<b>ANN ARBOR</b>
State/Territory
<b>Michigan</b>
Zip
<b>48103-4991</b>
Country
<b>United States</b>

Contact Phone Number **5405297928**

## Applicant Education

BA/BS From **University of Virginia**  
 Date of BA/BS **May 2018**  
 JD/LLB From **The University of Michigan Law School**  
<http://www.law.umich.edu/currentstudents/careerservices>  
 Date of JD/LLB **May 6, 2024**  
 Class Rank **School does not rank**  
 Law Review/Journal **Yes**  
 Journal(s) **Michigan Journal of Gender & Law**  
 Moot Court Experience **No**

## Bar Admission

## Prior Judicial Experience

Judicial Internships/  
 Externships **No**

Post-graduate Judicial  
Law Clerk      **No**

### **Specialized Work Experience**

### **Recommenders**

Erman, Samuel  
samerman@umich.edu  
Kornblatt, Kerry  
kkorn@umich.edu  
Shaughnessy, Joan  
shaughnessyj@wlu.edu  
540-458-8512

**This applicant has certified that all data entered in this profile and any application documents are true and correct.**



**MADISON BUTLER**

315 2<sup>nd</sup> St., Apt. 415, Ann Arbor, MI 48103 • (540) 529-7928 • madisb@umich.edu

June 12, 2023

The Honorable Jamar K. Walker  
U.S. District Court for the Eastern District of Virginia  
600 Granby Street  
Norfolk, VA 23510

Dear Judge Walker,

I am a rising third-year student at the University of Michigan Law School, and I am writing to apply for a clerkship in your chambers for the 2024-2025 term. Having been born in Roanoke, VA, and spending most of my life in the Commonwealth, I would love to begin my legal career in your chambers.

Before law school, I worked as a paralegal at Morgan, Lewis & Bockius in Washington, DC, which allowed me to improve my skills in writing, working on a team of diverse personalities, and producing quality work under pressure. I pride myself on my loyalty and the relationships I have built throughout my career. The best evidence of those strengths is that Morgan Lewis invited me back last summer as a 1L Summer Litigation Clerk. Then, because of my research and writing work product, Morgan Lewis also asked me to return this summer as a Summer Associate. I also pride myself on my adaptability. After my 1L year at Washington & Lee, I transferred to Michigan Law. While this was challenging, I quickly found my place and created meaningful relationships with my classmates. My peers recognized my interpersonal and leadership skills and elected me to serve as Executive Editor for the Michigan Journal of Gender & Law. I will bring these professional and personal strengths to your chambers to help promote a collaborative and productive work environment. I enjoy working on a close-knit team, and I hope to have the opportunity to join yours after law school.

I have attached my resume, undergraduate transcript, and a writing sample for your review. Letters of recommendation from the following professors are also attached:

- Professor Joan Shaughnessy: shaughnessyj@wlu.edu, (540) 458-8512
- Professor Samuel Erman: samerman@umich.edu, 734-763-3806
- Professor Kerry Kornblatt: kkorn@umich.edu, (734) 647-8595

Thank you for your time and consideration.

Respectfully,

Madison Butler

## MADISON BUTLER

315 2<sup>nd</sup> St., Apt. 415, Ann Arbor, MI 48103 • (540) 529-7928 • madisb@umich.edu

### EDUCATION

#### UNIVERSITY OF MICHIGAN LAW SCHOOL

Ann Arbor, Michigan

Juris Doctor GPA: 3.685

Expected May 2024

Journal: Michigan Journal of Gender & Law, *Executive Editor*, Vol. 30.2

Activities: Student Sexual Assault and Harassment Legal Advocacy Service, *Guidance Co-Chair*  
Women Law Students Association

First-year J.D. Coursework completed at Washington & Lee School of Law (Top 10%)

#### UNIVERSITY OF VIRGINIA

Charlottesville, VA

Bachelor of Arts, *Foreign Affairs*

May 2018

Minor: Women, Gender, and Sexuality

Activities: Gamma Phi Beta Sorority, *Bid Day Chairwoman*

Phi Alpha Delta Pre-Law Fraternity, *Publicity Committee Member*

### EXPERIENCE

#### Morgan, Lewis & Bockius LLP

Washington, DC

2L Summer Associate

May 2023 – August 2023

1L Summer Litigation Clerk

May 2022 – August 2022

- Researched case law to advise client on potential jurisdictional issues in a federal diversity case.
- Researched the application of insurance policies to additional insureds to advise client on insurance recovery issues.
- Analyzed historical SEC filings, annual reports, and newspaper articles to create timelines of new clients' business operations.
- Drafted and submitted settlement recommendations for client review.
- Reviewed voluminous Naval ship records for product identification to assess clients' litigation risks.

#### University of Michigan Civil-Criminal Litigation Clinic

Ann Arbor, Michigan

Student Attorney

January 2023 – May 2023

- Drafted and revised court filings, such as answers to complaints, witness lists, exhibit lists, and jury instructions.
- Negotiated with opposing counsel regarding settlements in landlord-tenant matters.
- Counseled clients in various litigation matters including expungements of criminal convictions and eviction proceedings.
- Appeared on record in hearings representing clients in litigation matters including expungements and eviction proceedings.

#### Morgan, Lewis & Bockius LLP

Washington, DC

Litigation Paralegal

June 2018 – May 2021

- Drafted and submitted settlement recommendations for client review.
- Drafted and proofread court filings, such as answers to complaints, witness lists, and motions for summary judgment.
- Trained new paralegals on docket management.
- Received "*Going the Distance Award*" February and December 2020 for significant contribution to litigation group.
- Exceeded minimum hours required to meet Pro Bono Challenge (2019 & 2020).

#### Southern Environmental Law Center

Charlottesville, VA

Legal Research Intern

January 2018 – May 2018

- Assisted with lobbying efforts by researching and analyzing academic articles regarding environmental legal issues.
- Drafted memoranda to supervising attorney summarizing research findings.

### ADDITIONAL

- Worked as a seasonal YMCA Swim Instructor and Lifeguard. June 2011 – February 2020
- Interests: Barre (Instructor at Studio Barre 2020-2021), attending sporting events, baking, traveling

**WASHINGTON AND LEE UNIVERSITY**

OFFICE OF THE UNIVERSITY REGISTRAR

Lexington, Virginia 24450-2116

540.458.8455

SSN: \*\*\*-\*\*-9084  
Student ID: 1737547  
Birthdate: 10/13/\*\*\*\*

Student's Name: Ms. Madison Leanne Butler  
Butler, Madison L.

Entered: 08/30/2021 as LAW:FIRST-YEAR STU

Major:

Current Program: Law

Current Status: On Campus

Class: 2024

Other Ed: BA UNIVERSITY OF VIRGINIA Charlottesville VA 22906

Date Produced: 06/06/2022

	COURSE	ATT	COM	GRADE	POINTS
LAW-FALL SEMESTER 2021-22					
LAW 109	CIVIL PROCEDURE	4.0	4.0	A	16.00
LAW 140	CONTRACTS	4.0	4.0	B+	13.32
LAW 163	LEGAL RESEARCH	0.5	0.5	B+	1.67
LAW 165	LEGAL WRITING I	2.0	2.0	A-	7.34
LAW 190	TORTS	4.0	4.0	A	16.00
Term	Cmpl Cr:	14.5	GPA Pts:	54.33	GPA Cr: 14.5 GPA: 3.747
Cumul	Cmpl Cr:	14.5	GPA Pts:	54.33	GPA Cr: 14.5 GPA: 3.747

	COURSE	ATT	COM	GRADE	POINTS
LAW-SPRING SEMESTER 2021-22					
LAW 130	CONSTITUTIONAL LAW	4.0	4.0	A-	14.68
LAW 150	CRIMINAL LAW	3.0	3.0	B+	9.99
LAW 163	LEGAL RESEARCH	0.5	0.5	B+	1.67
LAW 166	LEGAL WRITING II	2.0	2.0	A-	7.34
LAW 179	PROPERTY	4.0	4.0	A	16.00
LAW 195	TRANSNATIONAL LAW	3.0	3.0	A-	11.01
Term	Cmpl Cr:	16.5	GPA Pts:	60.69	GPA Cr: 16.5 GPA: 3.678
Year	Cmpl Cr:	31.0	GPA Pts:	115.02	GPA Cr: 31.0 GPA: 3.710
Cumul	Cmpl Cr:	31.0	GPA Pts:	115.01	GPA Cr: 31.0 GPA: 3.710

\*\*\*\*\* END OF TRANSCRIPT \*\*\*\*\*

	COURSE	ATT	COM	GRADE	POINTS
LAW-FALL SEMESTER 2022-23 CURRENT OR FUTURE REGISTRATION					
LAW 685	EVIDENCE	3.0			
LAW 700	FEDERAL JURISDICTION AND PROCEDU	3.0			
LAW 701	ADMINISTRATIVE LAW	3.0			
LAW 652	CORPORATE SOCIAL RESPONSIBILITY	2.0			
LAW 801	HIGHER EDUCATION PRACTICUM	4.0			



*[Signature]*  
Registrar

PAGE 1 of 1



Control No: E196920401

Issue Date: 06/06/2023

Page 1

# The University of Michigan Law School

## Cumulative Grade Report and Academic Record

Name: Butler, Madison L  
Student#: 14582351



*Paul Robinson*  
University Registrar

Subject	Course Number	Section Number	Course Title	Instructor	Load Hours	Graded Hours	Towards Program	Credit Hours	Grade
---------	---------------	----------------	--------------	------------	------------	--------------	-----------------	--------------	-------

Transfer course credit accepted toward a law degree.

Washington and Lee University

Cumulative Total 31.00

Fall 2022 (August 29, 2022 To December 16, 2022)

LAW	406	001	Real Estate Transactions	John Cameron Jr	2.00	2.00	2.00	A
LAW	483	001	Judicial Clerkships	Kerry Kornblatt	2.00	2.00	2.00	A-
LAW	569	001	Legislation and Regulation	Daniel Deacon	4.00	4.00	4.00	B+
LAW	669	002	Evidence	David Moran	3.00	3.00	3.00	B+
LAW	885	002	Mini-Seminar	Imran Syed	1.00	1.00	1.00	S
			Criminal Justice Reform by Comedian Jon Oliver					
LAW	896	001	Critical Race Theory	Samuel Erman	2.00	2.00	2.00	A

Term Total GPA: 3.576 14.00 13.00 14.00

Cumulative Total GPA: 3.576 13.00 45.00

Winter 2023 (January 11, 2023 To May 04, 2023)

LAW	712	001	Negotiation	George Kimball	3.00	3.00	3.00	A-
LAW	737	001	Higher Education Law	Jack Bernard	4.00	4.00	4.00	A-
LAW	920	001	Civil-Criminal Litigation Cln	David Santacroce	4.00	4.00	4.00	A
			Victoria Clark					
LAW	921	001	Civil-Criminal Litig Cln Sem	David Santacroce	3.00	3.00	3.00	A-
			Victoria Clark					

Term Total GPA: 3.785 14.00 14.00 14.00

Cumulative Total GPA: 3.685 27.00 59.00

Continued next page >

This transcript is printed on special security paper with a blue background and the seal of the University of Michigan. A raised seal is not required.

A BLACK AND WHITE TRANSCRIPT IS NOT AN ORIGINAL



Control No: E196920401

Issue Date: 06/06/2023

Page 2

# The University of Michigan Law School

## Cumulative Grade Report and Academic Record

Name: Butler, Madison L  
Student#: 14582351



*Paul Robinson*  
University Registrar

Course		Section	Load		Graded	Towards
Subject	Number	Number	Course Title	Instructor	Hours	Program Grade
Fall 2023 (August 28, 2023 To December 15, 2023)						
Elections as of: 06/06/2023						
LAW	439	001	Title IX and Higher Education	Rebecca Veidlinger	2.00	
LAW	536	001	Nat'l Security & Civ Liberties	Barbara Mcquade	3.00	
LAW	670	001	Gender and Law	Ellen Katz	3.00	
LAW	685	001	Design Fulfilling Life in Law	Bridgette Carr	2.00	
				Vivek Sankaran		
LAW	771	001	Progres Prosecution: Law&Pol'y	Eli Savit	2.00	
				Victoria Burton-Harris		

End of Transcript  
Total Number of Pages: 2

This transcript is printed on special security paper with a blue background and the seal of the University of Michigan. A raised seal is not required.

A BLACK AND WHITE TRANSCRIPT IS NOT AN ORIGINAL



## University of Michigan Law School Grading System

### Honor Points or Definitions

Through Winter Term 1993	Beginning Summer Term 1993
A+ 4.5	A+ 4.3
A 4.0	A 4.0
B+ 3.5	A- 3.7
B 3.0	B+ 3.3
C+ 2.5	B 3.0
C 2.0	B- 2.7
D+ 1.5	C+ 2.3
D 1.0	C 2.0
E 0	C- 1.7
	D+ 1.3
	D 1.0
	E 0

### Other Grades:

- F Fail.
- H Top 15% of students in the Legal Practice courses for students who matriculated from Spring/Summer 1996 through Fall 2003. Top 20% of students in the Legal Practice courses for students who matriculated in Spring/Summer 2004 and thereafter. For students who matriculated from Spring/Summer 2005 through Fall 2015, "H" is not an option for LAW 592 Legal Practice Skills.
- I Incomplete.
- P Pass when student has elected the limited grade option.\*
- PS Pass.
- S Pass when course is required to be graded on a limited grade basis or, beginning Summer 1993, when a student chooses to take a non-law course on a limited grade basis.\* For SJD students who matriculated in Fall 2016 and thereafter, "S" represents satisfactory progress in the SJD program. (Grades not assigned for LAW 970 SJD Research prior to Fall 2016.)
- T Mandatory pass when student is transferring to U of M Law School.
- W Withdrew from course.
- Y Final grade has not been assigned.
- \* A student who earns a grade equivalent to C or better is given a P or S, except that in clinical courses beginning in the Fall Term 1993 a student must earn a grade equivalent to a C+ or better to be given the S.

MACL Program: HP (High Pass), PS (Pass), LP (Low Pass), F (Fail)

Non-Law Courses: Grades for these courses are not factored into the grade point average of law students. Most programs have customary grades such as A, A-, B+, etc. The School of Business Administration, however, uses the following guides: EX (Excellent), GD (Good), PS (Pass), LP (Low Pass) and F (Fail).

### Third Party Recipients

As a third party recipient of this transcript, you, your agents or employees are obligated by the Family Rights and Privacy Act of 1974 not to release this information to any other third party without the written consent of the student named on this Cumulative Grade Report and Academic Record.

### Official Copies

An official copy of a student's University of Michigan Law School Cumulative Grade Report and Academic Record is printed on a special security paper with a blue background and the seal of the University of Michigan. A raised seal is not required. A black and white is not an original. Any alteration or modification of this record or any copy thereof may constitute a felony and/or lead to student disciplinary sanctions.

The work reported on the reverse side of this transcript reflects work undertaken for credit as a University of Michigan law student. If the student attended other schools or colleges at the University of Michigan, a separate transcript may be requested from the University of Michigan, Office of the Registrar, Ann Arbor, Michigan 48109-1382.

Any questions concerning this transcript should be addressed to:

Office of Student Records  
University of Michigan Law School  
625 South State Street  
Ann Arbor, Michigan 48109-1215  
(734) 763-6499



UNIVERSITY OF VIRGINIA  
OFFICE OF THE UNIVERSITY REGISTRAR  
P.O. BOX 400203  
CHARLOTTESVILLE, VA 22904-4203  
www.virginia.edu/registrar

Madison Leanne Butler

Date Printed

04/11/2023

COURSE NUMBER	COURSE TITLE	GRADE	CREDITS	COURSE NUMBER	COURSE TITLE	GRADE	CREDITS
RELC 1210	Hebrew Bible/Old Testament	B-	3.0				
SPAN 1060	Accelerated Elementary Spanish	A-	4.0				
Curr Credits	15.0 Grd Pts	50.400	GPA	3.360			
Cuml Credits	39.0 Grd Pts	107.400	GPA	2.983			

**Issued / Mailed To:**

MADISON BUTLER

National Id: \*\*\*\*\*9084  
Birthdate: 10/13/XX

**2016 Spring**

School:	College & Graduate Arts & Sci		
Major:	Foreign Affairs		
COMM 3410	Commercial Law I	B+	3.0
ENLT 2526	Studies in Fiction	B+	3.0
Course Topic:	Ghost Stories & Spectral Tales		
PLAP 3140	Mass Media & American Politics	B-	3.0
PLIR 1010	International Relations	C+	3.0
SPAN 2010	Intermediate Spanish	A-	3.0
Curr Credits	15.0 Grd Pts	45.900	GPA 3.060
Cuml Credits	54.0 Grd Pts	153.300	GPA 3.006

**2016 Fall**

School:	College & Graduate Arts & Sci		
Major:	Foreign Affairs		
COMM 3420	Commercial Law II	A-	3.0
PLCP 3012	Politics of Developing Areas	B+	3.0
PLPT 3020	Modern Political Thought	B+	3.0
SPAN 2020	Advanced Intermediate Spanish	A-	3.0
WGS 3220	Global Gender & Sport	A-	3.0
Curr Credits	15.0 Grd Pts	53.100	GPA 3.540
Cuml Credits	69.0 Grd Pts	206.400	GPA 3.127
Honor:	Dean's List		

**2017 Spring**

School:	College & Graduate Arts & Sci		
Major:	Foreign Affairs		
MSE 2010	Materials Shape Civilization	B	3.0
PLCP 3110	The Politics of Western Europe	B+	3.0
PLIR 3310	Ethics & Human Rights in Polit	B+	3.0
PLIR 3500	Special Topics	A-	3.0
Course Topic:	Religion, Violence, Strategy		
WGS 3810	Feminist Theory	B+	3.0
Curr Credits	15.0 Grd Pts	49.800	GPA 3.320
Cuml Credits	84.0 Grd Pts	256.200	GPA 3.163

**2017 Fall**

School:	College & Graduate Arts & Sci		
Major:	Foreign Affairs		
Minor:	Women, Gender and Sexuality		
BIOL 1050	Genes and Citizens	B-	3.0
PLCP 4500	Special Topics	A-	3.0
Course Topic:	Political Economy		
SOC 4810	Undergrad Internship Programs	S	4.0
WGS 3230	Gender and the Olympic Games	A	3.0
WGS 3559	New Course: WGS	B+	3.0
Course Topic:	Incarcerated Women		
Curr Credits	16.0 Grd Pts	41.100	GPA 3.425
Cuml Credits	100.0 Grd Pts	297.300	GPA 3.197

**2018 Spring**

School:	College & Graduate Arts & Sci		
Major:	Foreign Affairs		
Minor:	Women, Gender and Sexuality		
MDST 3755	Social Media and Society	A-	3.0
SOC 4820	Undergrad Internship Program	S	4.0

**Degrees Conferred**

Confer Date: 05/20/2018  
Degree: Bachelor of Arts  
Major: Foreign Affairs  
Minor: Women, Gender and Sexuality

**Transfer Credits**

Transfer Credit from Virginia Western Cmnty College  
Applied Toward Arts & Sciences Undergraduate

**Transfer Credit Total:** 18.00

**Beginning of Undergraduate Record**

**2014 Fall**

School:	College & Graduate Arts & Sci		
Major:	Arts & Sciences Undeclared		
ARTH 2251	Italian Renaissance Art	W	3.0
ECON 2010	Principles of Econ: Microecon	D	3.0
ENWR 1510	Accelerated Academic Writing	B+	3.0
Course Topic:	Home and Leaving It		
INST 1550	Interdisciplinary Studies	CR	2.0
Course Topic:	The Chemistry of Cooking		
KINE 1445	Women's Weight Training	CR	1.0
MATH 1210	Applied Calculus I	B-	3.0
Curr Credits	12.0 Grd Pts	21.000	GPA 2.333
Cuml Credits	12.0 Grd Pts	21.000	GPA 2.333

**2015 Spring**

School:	College & Graduate Arts & Sci		
Major:	Arts & Sciences Undeclared		
ASTR 1210	Intro Sky and Solar System	B	3.0
EVSC 1010	Intro Environmental Sciences	B	3.0
PSYC 1010	Introductory Psychology	W	3.0
SOC 1010	Introductory Sociology	B	3.0
WGS 2100	Gender and Sexuality Studies	B	3.0
Curr Credits	12.0 Grd Pts	36.000	GPA 3.000
Cuml Credits	24.0 Grd Pts	57.000	GPA 2.714

**2015 Fall**

School:	College & Graduate Arts & Sci		
Major:	Arts & Sciences Undeclared		
MUSI 2302	Keyboard Skills (Beginning)	A-	2.0
PLCP 1010	Intro to Comparative Politics	B	3.0
PLIR 3400	Foreign Policy of the U.S.	A-	3.0



*Leana Hawthorne*  
UNIVERSITY REGISTRAR

THE INFORMATION CONTAINED IN THIS TRANSCRIPT IS CONFIDENTIAL AND SHOULD NOT BE RELEASED WITHOUT THE STUDENT'S WRITTEN CONSENT



UNIVERSITY OF VIRGINIA  
OFFICE OF THE UNIVERSITY REGISTRAR  
P.O. BOX 400203  
CHARLOTTESVILLE, VA 22904-4203  
[www.virginia.edu/registrar](http://www.virginia.edu/registrar)

Madison Leanne Butler

Date Printed 04/11/2023

COURSE NUMBER	COURSE TITLE	GRADE	CREDITS	COURSE NUMBER	COURSE TITLE	GRADE	CREDITS
WGS 3340	Transnational Feminism	A	3.0				
WGS 4559	New Course: WGS	A	3.0				
Course Topic:	Race, Gender and Sport						
Curr Credits	13.0	Grd Pts	35.100	GPA	3.900		
Cuml Credits	113.0	Grd Pts	332.400	GPA	3.259		

End of Undergraduate Record



*Louisa Hawthorne*  
UNIVERSITY REGISTRAR



University of Michigan Law School  
625 S. State Street  
Ann Arbor, MI 48109

Samuel Erman  
Professor of Law

---

June 09, 2023

The Honorable Jamar Walker  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510-1915

Dear Judge Walker:

I write to recommend Madison Butler as a law clerk. I know Madison as a student from my Fall 2022 seminar on Critical Race Theory. She is a curious, enthusiastic student who brings out the best in those around her.

To provide you some background, my Critical Race Theory seminar has three components. Two involve the readings for the seminar, which are foundational works in critical race theory. First, students write nine short papers reacting to the weeks' readings. Second, we discuss the readings and the students' papers in class. Here, I seek to guide the students through a forward-looking intellectual history of critical race theory. Conversations thus often seek to understand the works on their own terms, identify what is new in them, and then consider contemporary applications. Finally, the students write a term paper concerning race and the law in which they apply theoretical frameworks from the course.

Madison performed well on every component of the course, earning an A. She received perfect marks on her response papers, and an A for her in-class comments. What particularly impressed me about Madison's contributions was her interest in seeing the world from new perspectives. Again and again, she described how a reading or a fellow student's insight was causing her to rethink what had been a settled understanding of the world. Given the topic of the course, such insights often involved contemplating how her positionality affected how she saw the world or how this or that legal phenomenon had down sides upon which she had not previously focused. Here, I use the word "contemplated" intentionally. There can be a tendency in a course such as Critical Race Theory for students to resist grappling with the ideas either by rejecting them out of hand or by reflexively taking them on board. Madison, by contrast, seemed to enjoy turning the ideas over and seeing where they might (or might not) lead.

Where Madison really shone was in her work on her term paper, which displayed her capacity for growth and which resulted in a grade in the A range. She chose to write on the ways that the Dobbs decision overturning *Roe v. Wade* had revealed racial fault lines within the pro-choice movement. Specifically, she sought to explain why more affluent white feminists became much more interested in the reproductive rights of poorer women of color after Dobbs. (Or, to put it more directly, why they had displayed relatively little concern beforehand.) As term papers go, this was a challenging topic. It required research outside of the normal legal texts available on LEXIS and Westlaw. Soon, Madison upped the challenge further by focusing on the historical choices that underlay the lack of attention. That required research that was historical as well as contemporary.

Madison succeeded in her paper by taking advantage of feedback every time it was offered. Her ultimate argument combined primary and secondary sources, spanned time frames, and involved distinct sets of actors. Getting such a story straight in her head, finding a way to convey it clearly, and identifying the stakes were all difficult. But as she submitted her topic description, then her outline, then her draft, and then her final paper, and as I pushed her on where evidence was thin or logical steps were unclear, she dug in. At each stage, the evidence was stronger and the analysis was clearer. Ultimately, she observed that the post-Roe reproductive-rights movement had emphasized winning moderates' support over addressing issues of particular concern to lower-income women of color. That meant, for instance, using the language of choice and deemphasizing questions of forced sterilization. In seeking to explain this pattern, Madison turned to Derrick Bell's notion of interest convergence. Bell argues that Black people typically only make gains when it is in the interest of White people. Adapting that frame to her topic, Madison argued that lower-class women of color were most likely to be able to make common cause with elite White feminists precisely when moderates no longer seemed like promising allies to them.

Stepping back, it is clear that Madison is on an upward trajectory. As a 1L at Washington & Lee, she scored in the top 10% of her class. Then she transferred to Michigan Law School where she has mostly received grades in the A range and no grade below B+. She has also joined a journal, devoted time to the Student Sexual Assault and Harassment Advocacy Service, volunteered during election campaigns, and undertaken clinical work.

Additionally, Madison is a lovely person. She is full of energy and good cheer and a favorite with her peers. I count myself lucky to have had her in my seminar.

I really hope you hire Madison. I would be happy to discuss Madison at greater length, and can be reached at this address, by email at [samerman@umich.edu](mailto:samerman@umich.edu), and on my cell phone any time at 734-717-2642. Good luck with your clerkship selection

Samuel Erman - [samerman@umich.edu](mailto:samerman@umich.edu)

process. Thank you for taking the time to read this letter and to consider Madison's candidacy.

Sincerely,

Samuel Erman

Samuel Erman - [samerman@umich.edu](mailto:samerman@umich.edu)

**UNIVERSITY OF MICHIGAN LAW**  
**Legal Practice Program**  
801 Monroe Street, 945 Legal Research  
Ann Arbor, Michigan 48109-1210

Kerry Kornblatt  
Clinical Assistant Professor of Law

June 07, 2023

The Honorable Jamar Walker  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510-1915

Dear Judge Walker:

I write in support of Madison Butler's clerkship application. Madison was a student in my Judicial Clerkships class, and I'm in a good position to speak to her substantial strengths. I am pleased to recommend Madison.

This past fall, Madison was a student in my Judicial Clerkships class. She performed very, very well and earned an A-. (The top-scoring A- in the class.) It is worth noting at the outset that Madison's fellow students in the clerkship class were not at all a typical cross-section of students at the law school. The class was designed for clerkship-interested students; it attracted a truly talented group, several of whom had already accepted clerkship positions. Earning an A- in that class means that Madison did impressive work.

Moreover, through the class, I had the opportunity to closely evaluate Madison's legal writing. (The class was only 16 people, and students did multiple writing assignments, including drafts and re-writes of a bench memo and an opinion.) Madison is a strong legal writer. She writes with clear organizational structure. Her analysis is thorough and convincing. She has a particular knack for reader-friendly elements—topic headings in long fact sections, crisp topic-sentence labels for each paragraph—that ably guide the reader through the whole document. Madison is also very skilled at absorbing constructive criticism and making adjustments.

In addition to Madison's legal writing, there are a couple of reasons I think she would make a strong clerk.

First, she will be well-prepared. Even though Madison will be coming right from law school, she will enter a clerkship with considerable experience. Through our Judicial Clerkships class, Madison has experience drafting both opinions and bench memos. She has also practiced critically evaluating the analysis of another chambers (or staff attorney) and editing the work of a judge or co-clerk. She has worked with the ethics rules that apply to clerks. She has helped interview numerous guest judges on best clerking practices and how to avoid pitfalls.

Second, Madison is both clear-eyed and passionate about the role of a judicial clerk. She and I have had multiple conversations about her clerking interest. She has a good grasp of the unique qualities of the job and the close-knit nature of working in chambers. She's expressed a real excitement about working through challenging legal problems in a collaborative way, with the only goal being to get it right. She's also told me how she sees engaging with legal issues from a neutral lens—something that many students express trepidation about—as an opportunity that will help her become a better advocate in the future. In short, I'm absolutely convinced that Madison is both deeply knowledgeable and excited about being a clerk.

For all of these reasons, I'm confident that Madison will make a great clerk. If I may be of any further assistance, please feel free to contact me.

Sincerely,

/Kerry Kornblatt/

Kerry Kornblatt  
Clinical Assistant Professor of Law

Kerry Kornblatt - [kkorn@umich.edu](mailto:kkorn@umich.edu)



WASHINGTON AND LEE  
UNIVERSITY  
SCHOOL OF LAW

Joan M. Shaughnessy  
Roger D. Groot Professor of law

Telephone: (540) 458-8512  
Fax: (540) 458-8488  
E-mail: [shaughnessyj@wlu.edu](mailto:shaughnessyj@wlu.edu)

April 6, 2023

Dear Judge,

I write to recommend Madison Butler for a position as one of your judicial clerks during the 2024-2025 year. During her first year in law school, Madison was a student in my Civil Procedure class at Washington and Lee before she transferred to the University of Michigan to complete her legal studies.

Madison did excellent work in my class. She was actively involved in class discussion and she wrote an outstanding final examination. She is gifted intellectually. Madison also has a strong work ethic. She excelled during her three years as a litigation paralegal at Morgan, Lewis & Bockius in Washington, D.C., receiving two awards for her work and meeting and exceeding the hours required for Morgan's Pro Bono challenge.

Lastly, Madison is committed to using law to further a just society. She was an intern for the Southern Environmental Law Center in Charlottesville, Virginia. While at Michigan, she has worked as a student attorney for the Civil-Criminal Litigation Clinic and as a class representative for the Student Sexual Assault and Harassment Legal Advocacy Service.

I am confident that Madison would be an excellent judicial clerk. She has the abilities and skills needed to contribute greatly to the work of your chambers. I recommend her without reservation.

Very Truly Yours,

Joan M. Shaughnessy

**MADISON BUTLER**

315 2<sup>nd</sup> St., Apt. 415, Ann Arbor, MI 48103 • (540) 529-7928 • madisb@umich.edu

**Writing Sample**

This writing sample is a bench memorandum I drafted as part of a simulation for my Judicial Clerkships course during the fall semester of my second year of law school. This sample reflects light edits I made in response to an initial round of comments I received from my professor.

**BENCH MEMORANDUM**

**To:** Judge Clayton  
**From:** Madison Butler  
**Date:** October 20, 2022  
**Re:** *Fisher v. RTA* (22-16123), motion hearing October 24, 2022

---

**ISSUE AND RECOMMENDATIONS**

- I. Whether Defendants created a designated public forum in their bus advertisement space.** Not likely. Depending on the weight the court gives Defendant’s acceptance of some political and public-issue advertisements, Defendants did not likely designate a public forum in the advertisement space. Most of the other factors used to determine forum type weigh in favor of a nonpublic forum.

**FACTUAL AND PROCEDURAL BACKGROUND**

Plaintiff Katherine Fisher (“Ms. Fisher” or “Plaintiff”) filed this Motion for Preliminary Injunction and/or Temporary Restraining Order against Defendants Greater Cleveland Regional Transit Authority (“RTA”) and Joseph Calabrese (“Mr. Calabrese”) (collectively “Defendants”). RTA is a government entity operating the public transit system for the Cleveland area and Mr. Calabrese is the General Manager and Chief Executive Officer of the RTA. Compl. ¶¶ 10, 12. Plaintiff brought this lawsuit alleging that Defendants violated her First Amendment right to freedom of speech and expression under 42 U.S.C. § 1983 by rejecting her proposed bus advertisement. *See* Compl. ¶ 38.

**I. RTA’s Advertisement Policy**

RTA established an advertising program policy that states that the purpose is “to provide revenue for the RTA while...maintaining RTA ridership and assuring riders...a safe and pleasant environment.” Ex. 4. The policy also states that RTA “does not...intend

to create a public forum[]” and reserves the right to approve all advertisements. *Id.* RTA’s policy also prohibits any advertisement which: depicts or promotes illegal activity, advocates violence or crime, infringes copyright, supports or opposes the election of any political candidate, or scorns an individual or group of individuals. *Id.*

When RTA receives an application for an advertisement posting, a third-party contractor first reviews the advertisement. *See* Calabrese Hr’g Tr. 17:21-4. The contractor determines certain logistics such as the cost to run the advertisement, vehicle routes, and where the customer wants the advertisement posted. Calabrese Hr’g Tr. 18:1-4. The contractor then forwards the advertisement proposals to Mr. Calabrese who reviews them to determine if they comply with RTA’s policy.

## **II. Events leading to this action**

Ms. Fisher has been engaged in environmental activism since she was a young child. *See* Fisher Hr’g Tr. 4:7-7:15. Ms. Fisher has participated in wetland restoration, campaigned to make her school and town more environmentally friendly, and has attended a national sustainability conference. *See* Fisher Hr’g Tr. 5:4-7:15. Her passion for the environment led her to apply to post an advertisement in the advertising spaces on the buses in her community. *See* Fisher Hr’g Tr. 8:16-9:6. Ms. Fisher’s proposed advertisement states “People who don’t recycle are TRASH. By not doing your part you are stealing the future from your children and grandchildren.” Ex. 1.

Ms. Fisher submitted her proposed advertisement to RTA, which was then reviewed by a third-party contractor. *See* Calabrese Hr’g Tr. 17:21-18:4. Per RTA’s review procedure, the contractor forwarded Ms. Fisher’s advertisement to Mr. Calabrese who has reviewed advertisements for compliance with RTA’s policy for fourteen years. *See* Calabrese Hr’g Tr. 17:16-19:7. Mr. Calabrese reviewed and rejected Ms. Fisher’s advertisement because it violated RTA’s prohibition of scornful advertisements. Ex. 2. Ms. Fisher requested reconsideration of her advertisement, which was also reviewed and rejected by Mr. Calabrese for the same reason. Ex. 3. Mr. Calabrese said that it was apparent to him that the advertisement was scornful because it called people “trash” and accused them of stealing the future from their children and grandchildren. *See* Calabrese

Hr’g Tr. 25:12-7. Ms. Fisher maintains that strong wording is necessary to get her point across that environmental action is needed. *See* Fisher Hr’g Tr. 10:10-7.

Before Ms. Fisher’s proposed advertisement, Mr. Calabrese rejected four other advertisements. *See* Calabrese Hr’g Tr. 19:9-10. Two of the rejected advertisements violated the prohibition of advertisements for political candidates, and he couldn’t recall why he rejected the others. *See* Calabrese Hr’g Tr. 19:15-20:10. None of the other rejections were for a scornful message. Calabrese Hr’g Tr. 19:15-7. Despite the low number of rejections, Mr. Calabrese maintains that he does not simply rubber stamp all the advertisements. Calabrese Hr’g Tr. 22:8-11. Also, there was one advertisement prohibited by the policy that Mr. Calabrese mistakenly approved. Calabrese Hr’g Tr. 19:13-4. In 2009, RTA ran an advertisement for an extreme sports company that promoted bungee jumping off Brecksville-Northfield Bridge. Calabrese Hr’g Tr. 20:12-6. The bridge was on land owned by a national park that prohibited such activity on its property. Calabrese Hr’g Tr. 20:18-9. Therefore, the extreme sports advertisement violated RTA’s policy for promoting illegal activity. Calabrese Hr’g Tr. 20:19-20.

## DISCUSSION

### **I. Whether Defendants created public fora in their buses’ advertising spaces.**

Defendants did not create public fora in their advertisement spaces. “The Supreme Court has adopted a forum analysis for use in determining whether a state-imposed restriction on access to public property is constitutionally permissible.” *United Food & Commer. Workers Union, Local 1099 v. Southwest Ohio Reg’l Transit Auth.*, 163 F.3d 341, 349 (6th Cir. 1998). There are three types of fora: traditional public, nonpublic, and designated public. *See Id.* at 350. The level of scrutiny applied to the government’s restriction is determined by whether the advertisement space is designated a public or non-public forum. *See Am. Freedom Def. Initiative v. Suburban Mobility Auth. for Reg’l Transp.*, 698 F.3rd 885, 890 (6th Cir 2012). If the forum is deemed public, the Court will evaluate Plaintiff’s claim using strict scrutiny, and the exclusion of the speech will only be allowed if “necessary to serve a compelling state interest and the exclusion is narrowly drawn to achieve that interest.” *United Food*, 163 F.3rd at 350 (quoting *Cornelius v.*



*NAACP Legal Defense and Education Fund*, 473 U.S. 788, 800 (1985)). If the forum is deemed nonpublic, the exclusion of the speech will be allowed “as long as the restrictions are reasonable and are not an effort to suppress expression merely because public officials oppose the speaker’s view.” *Id.* The parties here agree that RTA’s bus advertising space is not a traditional public forum. Pls.’s Br. 13. However, the parties disagree as to whether RTA designated the bus advertisement space a public forum, or if the advertisement space is a nonpublic forum.

Accordingly, the analysis turns to “whether the government intentionally opened the forum for public discourse.” *Am. Freedom Def. Initiative*, 698 F.3d at 890 (citing *United Food*, 163 F.3d at 350). Courts use a two-step analysis to determine whether the government intended to create a public forum. *United Food*, 163 F.3d at 352.

The Court first assesses “whether the government has made the property generally available to an entire class of speakers or whether individual members of that class must obtain permission in order to access the property.” *Id.* Second, the Court assesses “whether the exclusion of certain expressive conduct is properly designed to limit the speech activity occurring in the forum to that which is compatible with the forum’s purpose.” *Id.* In other words, the Court is “guided not only by the government’s explicit statements, policy and practice, but also by the ‘nature of the property and its compatibility with expressive activity...’” *Am. Freedom Def. Initiative*, 698 F.3d at 890 (quoting *Cornelius v. NAACP Legal Def. and Educ. Fund*, 473 U.S. 788, 802 (1985)) (internal citations omitted).

Where the government leaves a space generally open to a class of people, the Court “will infer intent to designate property a public forum.” *United Food*, 163 F.3d at 350. But, where the government has a policy of being selective or requiring permission to post advertisements, the Court is less inclined to find intent to designate the property public. *Id.* However, whether the government states that the property is not public or limits who can use the property by requiring permission is not dispositive. *Id.* at 350-51. The Court will also assess the relationship between the purpose of the forum and the reason(s) for the restriction to access the forum. *Id.* at 351.

In *United Food*, SORTA, a state-operated transit authority, rejected a union's request to post an advertisement on their bus displaying pro-union statements. *Id.* at 347. SORTA previously allowed the union to post an advertisement on their bus displaying similar pro-union messages. *Id.* at 346. Between the posting of the union's first advertisement and the rejection of their second advertisement, the union conducted a protest that resulted in the police being called. *Id.* SORTA subsequently rejected the union's second advertisement request stating that the advertisement was "unacceptable because it was aesthetically unpleasant and controversial, and it may therefore adversely affect SORTA's image and its ability to attract and maintain its ridership." *Id.* at 347. SORTA also "objected to the ad's photograph, which it described as a 'photograph of a mob of persons...'" *Id.* However, the only material difference between the two advertisements was the color – the first advertisement was blue, and the rejected advertisement was red. *Id.*

Even though SORTA required permission to display ads on their buses, the court found that the government created a public forum. *Id.* at 355. The court first assessed whether SORTA made its advertising space generally available to the public. *Id.* at 352. The court determined that "SORTA's stated intent to operate its advertising space as nonpublic, without more, is [not] dispositive..." *Id.* The court looked into whether SORTA consistently enforced its policy of requiring permission to post advertisements. *Id.* at 353. The court explained, "[b]ecause UFCW has not identified any advertisement accepted by SORTA that arguably violated the Policy, we have no reason...to believe SORTA applies its written policy on an ad hoc basis." *Id.* at 353. Further, the court heeded the trial court's factual determination that SORTA only rejecting six advertisements was not an indication that it granted permission as a matter of course. *Id.* Accordingly, the court moved to the second factor to determine the type of forum SORTA created. *Id.*

In analyzing the second factor, the court found that its actions and policies demonstrated that SORTA intended to designate the advertising space on the buses a public forum. *Id.* One important consideration was that SORTA allowed virtually all types of political and public-issue advertisements. *Id.* at 355. Also, the court found that "the lack of

definitive standards guiding the application of SORTA's advertising policy permits SORTA...to reject a proposed advertisement...for any reason." *Id.* at 354. The court also found that SORTA's stated purpose of "exclud[ing] expressive activity that would hinder the forum's larger purpose -- the provision of safe, efficient, and profitable Metro bus services" to be "tenuously related, at best, to the greater forum's intended use." *Id.* To emphasize the lack of a causal link between SORTA's policy's purpose and its exclusion of controversial or aesthetically unpleasant advertisements, the court explained, "[a]lthough political and public-issue speech is often contentious, it does not follow that such speech necessarily will frustrate SORTA's commercial interests." *Id.*

Conversely, in *American Freedom Defense Initiative*, the court found that SMART, a state-run transit authority, did not establish a public forum in its advertisement space on its buses. *See Am. Freedom Def. Initiative*, 698 F.3d at 892. SMART rejected an advertisement submitted by American Freedom Defense Initiative (AFDI) depicting "anti-jihad" sentiments. *See Id.* at 889. SMART's advertisement policy included an exclusion of "political or political campaign advertising," which was the exclusion applied to AFDI's rejected advertisement. *Id.* Despite SMART's policy not explicitly stating that the advertising space was not a public forum, the court reasoned that SMART's ban on political advertisements and limits to nonpolitical advertisements "make the space incompatible with public discourse, assembly, and debate that characterize a designated forum." *Id.* at 890. Accordingly, under the first factor, the court found that SMART did not designate the advertisement space a public forum. The court noted that the Supreme Court found a similar restriction on political speech to create a nonpublic forum in *Lehman v. City of Shaker Heights*, 418 U.S. 298 (1974), wherein a city rejected all political advertisements submitted for display on its transit vehicles. *Am. Freedom Def. Initiative*, 698 F.3d at 890 (citing *Lehman*, 418 U.S. at 299).

For the second factor, the *American Freedom Defense Initiative* court found that the relationship between SMART's policy's purpose of generating revenue and the excluded speech weighed in favor of a nonpublic forum. The court noted that allowing political discussion in the advertisements on the buses could open SMART to advertisements for

highly problematic groups such as neo-Nazis, which could lead to a reduction in revenue and ridership. The court stated, “[t]he reason for the restrictions ties directly to the purpose of the forum—raising revenue—and therefore indicates that SMART wanted to establish a nonpublic forum instead of opening the forum to the public.” *Id.* at 892.

In our case, the first factor weighs in favor of RTA. Like in *United Food* and *American Freedom Defense Initiative*, RTA subjects its potential advertisers to an application and review process. Also, RTA’s policy goes further than SMART’s by expressly stating its intent to not create a public forum. Ex. 4. However, as the court in *United Food* expressed, without more, the government’s stated intent is not dispositive. See *United Food*, 163 F.3d 352. The Court will thus review the consistency of RTA’s enforcement of the policy.

Plaintiff argues that RTA’s low number of rejections indicates that RTA “granted virtually unlimited access to the advertising space.” Pl.’s Br. 14. Plaintiff compares the low number of RTA rejections to SORTA’s low number of rejections in *United Food*. However, the court in *United Food* only briefly mentioned this fact and it was not one of the issues that decided the case. *United Food*, 163 F.3d at 353. Meanwhile, Defendants maintain that they review every advertisement and apply their policy consistently. Def.’s Br. 12. Defendants seem to contend that the low volume of rejections is a result of its short list of exclusions, however, I would recommend seeking clarity on this point. Ultimately, the low number of rejections seems relatively inconsequential to the determination of the forum type.

Plaintiff also argues that Defendants inconsistently applied their policy because they allowed one advertisement with prohibited content to slip through the cracks. However, I tend to agree with defendants and the court in *United Food* and *American Freedom Defense Initiative* that “[o]ne or more instances of erratic enforcement of a policy does not itself defeat the government's intent not to create a public forum.” *Am. Freedom Def. Initiative*, 698 F.3d at 892 (quoting *Ridley v. Mass. Bay Transp. Auth.*, 390 F.3d 65,78 (1st Cir. 2004)). Also, that the illegal activity in the inadvertently approved advertisement was not obvious illegal

activity leans in favor of being a genuine mistake rather than an intention to create a public forum.

The second factor also weighs mostly in favor of RTA. The purpose of RTA's advertising policy is to generate revenue, maintain ridership, and ensure a safe and pleasant environment for the riders. Ex. 4. Ms. Fisher's proposed advertisement calls riders who do not recycle "trash" and accuses them of stealing from their children and grandchildren. *See* Ex. 1. The advertisement engages in name-calling and accusatory language that will likely offend many riders, which could result in reduced ridership and disturb the pleasant environment for which RTA strives. Further, if ridership reduces, other advertisers may determine it's not worth their money to advertise on RTA's buses. Other advertisers also may not want to be associated with a transit system that allows for signage that insults its riders. Ultimately, RTA's purpose for excluding scornful language could be defeated by Plaintiff's advertisement. Like in *American Freedom Defense Initiative*, the relationship between RTA's policy's purpose directly relates to the exclusion of Plaintiff's speech.

Plaintiff also argues that, since RTA allowed political and public-issue advertisements, it opened its space to the public like in *United Food*. While RTA does allow political and public-issue advertisements, it imposes restrictions on such advertisements. *See* Ex. 4. RTA's policy seems to fall somewhere between the policies in question in *United Food* and *American Freedom Defense Initiative*. RTA restricts advertisements advocating for specific political candidates but allows advertisements advocating for specific political issues. Ex. 4. RTA's advertisement policy does not open the advertisement space entirely for political advertisements, but it does open the advertisement space for discourse about political and public issues. *See* Calabrese Hr'g. Tr. 21:17-20. Like in *United Food*, the acceptance of political advertisements may show a willingness to designate the advertisement space a public forum and weigh in favor of Plaintiff's argument. On the other hand, the fact that RTA does have some restrictions on political advertisements demonstrates a lack of willingness to create a public forum. So, this consideration could go either way. However, this seems to be one of the only considerations possibly weighing in favor of Plaintiff's argument. With most other

considerations weighing in favor of a nonpublic forum, this consideration seems to be likely inconsequential.

Lastly, the Court may also review the clarity of RTA's policy to assess its intent to create a public forum. Plaintiff argues that, like the policy in *United Food*, RTA's policy is not definitive and open to subjectivity. Pl.'s Br. 13. However, RTA's policy of not allowing scornful advertisements is more specific and objective than SORTA's policy against advertisements that are "aesthetically unpleasant and controversial." "Scorn" is defined as "open to dislike and disrespect or mockery often mixed with indignation," "an expression of contempt or derision," or "an object of extreme disdain, contempt, or derision: something contemptible." *Scorn*, Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/scorn> (last visited Oct. 5, 2022). Meanwhile, "controversy" is defined as "a discussion marked especially by the expression of opposing views" and "unpleasant" is defined as "not pleasant: not amiable or agreeable." *Controversy*, Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/controversy> (last visited Oct. 5, 2022), *Unpleasant*, Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/unpleasant> (last visited Oct. 5, 2022).

SORTA's policy did lack definitiveness and was subjective, which allowed it to use the policy as a pretext in *United Food*. But, as the definitions suggest, RTA's policy is not open to subjectivity to the same degree as SORTA's. Objectively, calling people "trash" and accusing them of "stealing from their future children and grandchildren" falls within the definition of scorn. What is considered "controversial" and "aesthetically unpleasant" may change based on the opinion of the person viewing the advertisement. Generally, name-calling is considered a demonstration of scorn toward a person or people regardless of the viewer. RTA's restriction against scornful advertisements is not so vague or subjective as to allow RTA to use the policy as a pretext to deny an advertisement. Accordingly, the second factor weighs in favor of RTA's advertising space being a nonpublic forum.

With both factors of forum analysis weighing in favor of Defendants, Defendants did not create a public forum in RTA's advertisement space. RTA's policy specifically

states that it does not intend to create a public forum. While its expression is not dispositive, there is little evidence that RTA enforced its policy inconsistently. Further, RTA's policy's purpose is clear and directly related to its reason for rejecting Plaintiff's advertisement. RTA's policy of allowing some political or public-issue statements is a consideration that may weigh in favor of the Plaintiff and may be an issue to tease out at oral argument. Overall, most of the forum-determining considerations weigh in favor of RTA not creating a public forum.

## Applicant Details

First Name	Shelby
Last Name	Butt
Citizenship Status	U. S. Citizen
Email Address	<a href="mailto:seb2243@columbia.edu">seb2243@columbia.edu</a>
Address	<div> <div>Address</div> <div> <div>Street</div> <div>1930 Broadway - #6B</div> <div>City</div> <div>New York</div> <div>State/Territory</div> <div>New York</div> <div>Zip</div> <div>10023</div> </div> </div>
Contact Phone Number	2149129875

## Applicant Education

BA/BS From	Georgetown University
Date of BA/BS	May 2020
JD/LLB From	Columbia University School of Law
	<a href="http://www.law.columbia.edu">http://www.law.columbia.edu</a>
Date of JD/LLB	May 22, 2024
Class Rank	School does not rank
Law Review/Journal	Yes
Journal(s)	Columbia Journal of Transnational Law
Moot Court Experience	Yes
Moot Court Name(s)	Foundational Moot Court

## Bar Admission

## Prior Judicial Experience

Judicial Internships/ Externships	No
Post-graduate Judicial Law Clerk	No



## Specialized Work Experience

### Recommenders

Waxman, Matthew  
mwaxma@law.columbia.edu  
212-854-0592

Richman, Dan  
drichm@law.columbia.edu  
212-854-9370

Rakoff, Jed  
Jed\_S\_Rakoff@nysd.uscourts.gov

**This applicant has certified that all data entered in this profile and any application documents are true and correct.**

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Centre Street, Room 2203  
New York, NY 10007-1501

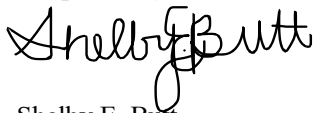
Dear Judge Abrams:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2024, 2025, or 2026.

Enclosed please find my resume, transcripts, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Rossie David Alston, Jr.  
United States District Court  
Eastern District of Virginia  
Albert V. Bryan United States Courthouse  
401 Courthouse Square, 6th Floor  
Alexandria, VA 22314-5704

Dear Judge Alston:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2024–2025 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable John D. Bates  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 4114  
Washington, DC 20001

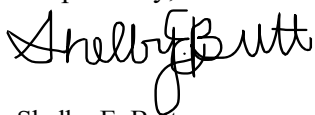
Dear Judge Bates:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, Apt. 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Leonie M. Brinkema  
United States District Court  
Eastern District of Virginia  
Albert V. Bryan United States Courthouse  
401 Courthouse Square, 7th Floor  
Alexandria, VA 22314-5704

Dear Judge Brinkema:

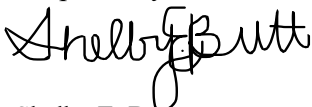
I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2024–2025 term.

Having previously worked in the U.S. Intelligence Community, I am particularly interested in a clerkship with you because of the large number of national security-related cases on your docket. Additionally, I would welcome the opportunity to begin my legal career in the D.C. metro area because I have greatly enjoyed living there as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly. I am committed to practicing in the D.C. area after graduation and hope to pursue a career in the federal government.

Enclosed please find my resume, transcripts, and writing sample. Also enclosed are letters of recommendation from Professors Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu) and Daniel C. Richman (212 854-9370, drichm@law.columbia.edu). In addition, the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (212 555-5678, profz@columbia.edu), Ref #2, Ref #3 have agreed to serve as references.

Thank you for your time and consideration. Should you require any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Andrew L. Carter  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

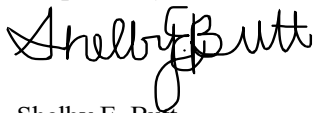
Dear Judge Carter:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2024–2025 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable P. Kevin Castel  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1020  
New York, NY 10007-1312

Dear Judge Castel:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2024–2025 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,

  
Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Rudolph Contreras  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 4903  
Washington, DC 20001

Dear Judge Contreras:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025 or 2026. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov). In addition, Professor Lev Menand (212 854-0409, lmenand@law.columbia.edu), AUSA Sara Winik of the U.S. Attorney's Office for the Eastern District of New York (sara.winik@usdoj.gov), and AUSA Genny Ngai of the U.S. Attorney's Office for the Eastern District of New York (347 482-9581, genny.ngai@usdoj.gov) have agreed to serve as references.

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt



Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Denise Cote  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1910  
New York, NY 10007-1312

Dear Judge Cote:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025 or any time thereafter.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Paul A. Engelmayer  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Centre Street, Room 2201  
New York, NY 10007-1501

Dear Judge Englemayer:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt



Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Dabney Langhorne Friedrich  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 4335  
Washington, DC 20001

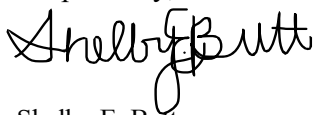
Dear Judge Friedrich:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Jesse M. Furman  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Centre Street, Room 2202  
New York, NY 10007-1501

Dear Judge Furman:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025 or any time thereafter.

Enclosed please find my resume, transcripts, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Paul G. Gardephe  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Centre Street, Room 2204  
New York, NY 10007-1501

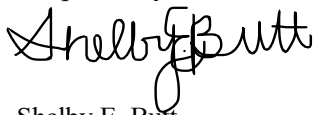
Dear Judge Gardephe:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2024–2025 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Elizabeth W. Hanes  
United States District Court  
Eastern District of Virginia  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510-1915

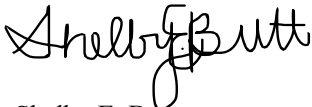
Dear Judge Hanes:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a one-term clerkship in your chambers beginning in 2024 or any time thereafter.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Beryl A. Howell  
United States District Court  
District of Columbia  
William B. Bryant United States Courthouse Annex  
333 Constitution Avenue, N.W., Room 2010  
Washington, DC 20001

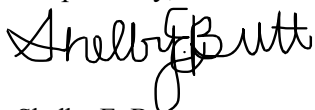
Dear Judge Howell:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt



Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Kenneth M. Karas  
United States District Court  
Southern District of New York  
Charles L. Brieant, Jr. United States Courthouse  
300 Quarropas Street, Room 533  
White Plains, NY 10601-4150

Dear Judge Karas:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term. I am particularly interested in clerking for you because of the relatively high number of national security-related cases on your docket.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Timothy James Kelly  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W.  
Washington, DC 20001

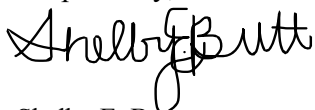
Dear Judge Kelly:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Eric Ross Komitee  
United States District Court  
Eastern District of New York  
Emanuel Celler Federal Building  
225 Cadman Plaza East, Room 406 N  
Brooklyn, NY 11201-1818

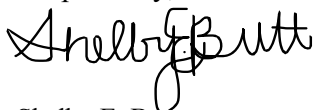
Dear Judge Komitee:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025. I am interested in clerking in Brooklyn because I greatly enjoyed the time I spent interning at the U.S. Attorney's Office for the Eastern District of New York.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Rachel P. Kovner  
United States District Court  
Eastern District of New York  
Emanuel Celler Federal Building  
225 Cadman Plaza East, Room 420N  
Brooklyn, NY 11201-1818

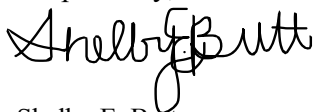
Dear Judge Kovner:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025. I am interested in clerking in Brooklyn because I greatly enjoyed the time I spent interning at the U.S. Attorney's Office for the Eastern District of New York.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
(214) 912-9875  
[seb2243@columbia.edu](mailto:seb2243@columbia.edu)

Current Address  
1930 Broadway, 6B  
New York, NY 10023

Permanent Address  
711 Grandview Place  
San Antonio, TX 78209

June 12, 2023

The Honorable Royce C. Lamberth  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 2010  
Washington, DC 20001

Dear Judge Lamberth:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2024.

I am particularly interested in clerking for you because I am a native Texan who has enjoyed living in D.C. during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly. A clerkship in your chambers would allow me the unique opportunity to assist in the important work of the court in both San Antonio and D.C.

Enclosed please find my resume, transcripts, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, [mwaxma@law.columbia.edu](mailto:mwaxma@law.columbia.edu)), Professor Daniel C. Richman (212 854-9370, [drichm@law.columbia.edu](mailto:drichm@law.columbia.edu)), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York ([jed\\_s\\_rakoff@nysd.uscourts.gov](mailto:jed_s_rakoff@nysd.uscourts.gov)).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,

  
Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Lewis J. Liman  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 701  
New York, NY 10007-1312

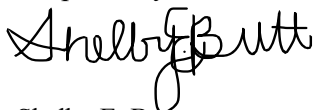
Dear Judge Liman:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025 or 2026.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Shelby E. Butt". The signature is written in a cursive, flowing style.

Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Trevor N. McFadden  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 2528  
Washington, DC 20001

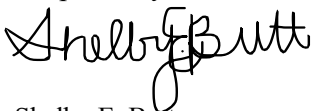
Dear Judge McFadden:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2026–2027 term. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Randolph D. Moss  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 4317  
Washington, DC 20001

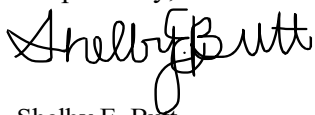
Dear Judge Moss:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Shelby E. Butt". The signature is written in a cursive, flowing style with a large initial "S".

Shelby E. Butt



Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Carl J. Nichols  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 6321  
Washington, DC 20001

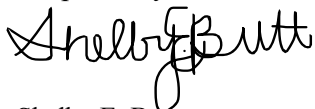
Dear Judge Nichols:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term. I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov). DOES HE REQUIRE REFERENCES??? CHECK OSCAR

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable J. Paul Oetken  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Centre Street, Room 2101  
New York, NY 10007-1501

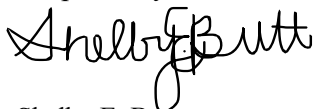
Dear Judge Oetken:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2024–2025 or 2025–2026 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov). In addition, Professor Lev Menand (212 854-0409, lmenand@law.columbia.edu), AUSA Sara Winik of the U.S. Attorney's Office for the Eastern District of New York (sara.winik@usdoj.gov), and AUSA Genny Ngai of the U.S. Attorney's Office for the Eastern District of New York (347 482-9581, genny.ngai@usdoj.gov) have agreed to serve as references.

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt



Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Jennifer H. Rearden  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Dear Judge Rearden:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2024 or any time thereafter.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Ana C. Reyes  
United States District Court  
District of Columbia  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W., Room 4317  
Washington, DC 20001

Dear Judge Reyes:


I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers for the 2025–2026 term.

I am interested in clerking in D.C. because I have greatly enjoyed living there during my time as a Georgetown undergraduate, young professional, and summer associate at Williams & Connolly. I intend to practice in D.C. after graduation, and I hope to serve as an AUSA in the District of D.C. later in my career. I am particularly interested in clerking in your chambers in particular because of your background in international disputes and because I want to clerk for a judge who can provide me with strong female mentorship during my time in chambers and throughout my career.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,

  
Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Patti B. Saris  
United States District Court  
District of Massachusetts  
John Joseph Moakley United States Courthouse  
One Courthouse Way, Room 8110  
Boston, MA 02210-3002

Dear Judge Saris:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2024. I am interested in clerking in Boston because I greatly enjoyed living there during my high school years.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Leo T. Sorokin  
United States District Court  
District of Massachusetts  
John Joseph Moakley United States Courthouse  
One Courthouse Way, Room 6130  
Boston, MA 02210-3002

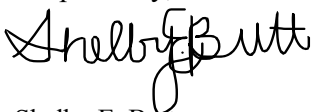
Dear Judge Sorokin:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2024. I am interested in clerking in Boston because I greatly enjoyed living there during my high school years.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Eric N. Vitaliano  
United States District Court  
Eastern District of New York  
Theodore Roosevelt United States Courthouse  
225 Cadman Plaza East, Room 707 S  
Brooklyn, NY 11201-1818

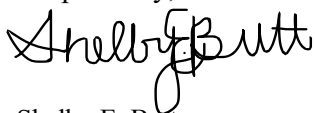
Dear Judge Vitaliano:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2024. I am interested in clerking in Brooklyn because I greatly enjoyed the time I spent interning at the U.S. Attorney's Office for the Eastern District of New York.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt



Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Mary Kay Vyskocil  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2230  
New York, NY 10007-1312

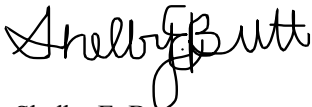
Dear Judge Vyskocil:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers beginning in 2025.

Enclosed please find my resume, transcript, and writing samples – does she require two?? Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

Shelby E. Butt  
1930 Broadway, 6B  
New York, NY 10023  
(214) 912-9875  
seb2243@columbia.edu

June 12, 2023

The Honorable Jamar K. Walker  
United States District Court  
Eastern District of Virginia  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510-1915

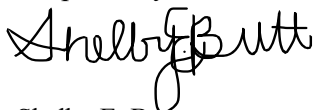
Dear Judge Walker:

I am a rising third-year student, James Kent Scholar, and Executive Online Editor of the *Columbia Journal of Transnational Law* at Columbia Law School. I write to apply for a clerkship in your chambers during the 2024–2025 term.

Enclosed please find my resume, transcript, and writing sample. Also enclosed are letters of recommendation from Professor Matthew C. Waxman (212 854-0592, mwaxma@law.columbia.edu), Professor Daniel C. Richman (212 854-9370, drichm@law.columbia.edu), and the Honorable Jed S. Rakoff of the U.S. District Court for the Southern District of New York (jed\_s\_rakoff@nysd.uscourts.gov).

Thank you for your time and consideration. Should you need any additional information, please do not hesitate to contact me.

Respectfully,



Shelby E. Butt

**SHELBY E. BUTT**

1930 Broadway #6B, New York, NY 10023 • seb2243@columbia.edu • (214) 912-9875

**EDUCATION**

**Columbia Law School**, New York, NY

J.D. expected May 2024

Honors: James Kent Scholar, 2022-2023

Harlan Fiske Stone Scholar, 2021-2022

Activities: *Columbia Journal of Transnational Law*, Executive Online Editor

Teaching Assistant for The Honorable Jed S. Rakoff (Criminal Law), Spring 2023

Research Assistant to Professor Matthew C. Waxman, 2023-2024

National Security Law Society, Co-President

**Georgetown University, School of Foreign Service**, Washington, DC

B.S.F.S., in International Politics, Minor in Arabic, *cum laude*, received May 2020

Honors: Collegiate Rowing Coaches' Association Scholar-Athlete Award, 2017

Varsity Letter Winner, May 2020

Activities: Varsity Women's Lightweight Crew (NCAA Division I)

Georgetown Undergraduate Scholars Program, Undergraduate Research Scholar

Kappa Alpha Theta, Scholarship Director and Executive Recruitment Board

**EXPERIENCE**

**Williams & Connolly**, Washington, DC

Summer 2023

*Summer Associate*

Researched and wrote memoranda on criminal forfeiture law, TILA claims, and qui tam suits. Drafted a motion in limine to exclude expert testimony in a federal criminal fraud case. Worked with attorneys to develop case strategy and provide litigation counseling to clients on white collar civil and criminal matters.

**U.S. Attorney's Office for the Eastern District of New York**, Brooklyn, NY

Summer 2022

*Intern, Criminal Division*

Supported AUSAs in the National Security & Cybercrime and International Narcotics & Money Laundering divisions by drafting sentencing memos, conducting legal research, reviewing evidence, and assisting with trial prep. Spoke on behalf of the U.S. government in court proceedings under the guidance of experienced prosecutors.

**Entegra Systems**, Langley, VA

July 2020 - June 2021

*Intelligence Officer (Level 1)*

Served as a Desk Officer for a U.S. Government client within the U.S. Intelligence Community (IC). Trained in IC style cable-writing, case study analysis, and short form briefing. Maintained an active TOP SECRET/Sensitive Compartmented Information (TS/SCI) security clearance issued by the U.S. Department of Defense.

**Council on Foreign Relations**, Washington, DC

Spring 2020

*Intern for Middle East and U.S. Foreign Policy*

Edited and fact checked quotes, anecdotes, and references in CFR publications. Conducted research and wrote memos on the Qatar Crisis, Russia-Saudi Arabia oil price war, and ISIS in Syria to prepare CFR personnel for round table meetings and congressional testimonies.

**National Security Agency**, Fort Meade, MD

Summer 2019

*Intelligence Analysis Intern*

Attained knowledge and skills in signals intelligence (SIGINT) and intelligence analysis through work in the NSA's Directorate of Operations. Obtained a TS/SCI security clearance. Presented a final project and methodology paper to NSA senior leadership and received the Internship Spotlight Award for outstanding work.

**LANGUAGE SKILLS:** Spanish (proficient), Arabic (intermediate), Russian (basic), French (basic)

**PUBLICATIONS:** Shelby Butt and Daniel Byman. "Right-Wing Extremism: The Russian Connection." *Survival*, vol. 62, no. 2, 2020, pp. 137-52.

**VOLUNTEER WORK:** Georgetown Alumni Admissions Interviewer (2020-Present), Phillips Academy Andover Class Agent (2016-Present).

**INTERESTS:** Documentary films, foreign languages, and running with Bella, my three-year-old German shepherd.



Registration Services

law.columbia.edu/registration  
435 West 116th Street, Box A-25  
New York, NY 10027  
T 212 854 2668  
registrar@law.columbia.edu

CLS TRANSCRIPT (Unofficial)

06/07/2023 23:09:14

Program: Juris Doctor

Shelby E Butt

Spring 2023

Course ID	Course Name	Instructor(s)	Points	Final Grade
L6241-1	Evidence	Capra, Daniel	4.0	A
L6429-1	Federal Criminal Law	Richman, Daniel	3.0	A-
L9327-1	S. Internet and Computer Crimes [ Minor Writing Credit - In Progress ]	DeMarco, Joseph; Komatireddy, Saritha	2.0	A
L6683-1	Supervised Research Paper	Waxman, Matthew C.	1.0	CR
L6822-1	Teaching Fellows	Rakoff, Jed	3.0	CR

**Total Registered Points: 13.0**

**Total Earned Points: 13.0**

Fall 2022

Course ID	Course Name	Instructor(s)	Points	Final Grade
L6238-1	Criminal Adjudication	Richman, Daniel	3.0	A-
L6169-2	Legislation and Regulation	Menand, Lev	4.0	A
L6675-1	Major Writing Credit	Waxman, Matthew C.	0.0	CR
L6274-2	Professional Responsibility	Fox, Michael Louis	2.0	A
L8951-1	S. Cybersecurity, Data Privacy and Surveillance Law	Richman, Daniel; Tannenbaum, Andrew; Waxman, Matthew C.	2.0	A
L6683-1	Supervised Research Paper	Waxman, Matthew C.	1.0	CR

**Total Registered Points: 12.0**

**Total Earned Points: 12.0**

Spring 2022

Course ID	Course Name	Instructor(s)	Points	Final Grade
L6133-2	Constitutional Law	Ponsa-Kraus, Christina D.	4.0	A-
L6108-3	Criminal Law	Rakoff, Jed	3.0	A
L6679-1	Foundation Year Moot Court		0.0	CR
L6121-20	Legal Practice Workshop II	Statsinger, Steven	1.0	P
L6116-3	Property	Heller, Michael A.	4.0	A-
L6912-1	Transnational Litigation	Smit, Robert	3.0	A

**Total Registered Points: 15.0**

**Total Earned Points: 15.0**

**January 2022**

Course ID	Course Name	Instructor(s)	Points	Final Grade
L6130-6	Legal Methods II: International Problem Solving	Hakimi, Monica	1.0	CR

**Total Registered Points: 1.0**

**Total Earned Points: 1.0**

**Fall 2021**

Course ID	Course Name	Instructor(s)	Points	Final Grade
L6101-3	Civil Procedure	Johnson, Olatunde C.A.	4.0	A-
L6105-5	Contracts	Arato, Julian	4.0	B
L6113-1	Legal Methods	Ginsburg, Jane C.	1.0	CR
L6115-20	Legal Practice Workshop I	Statsinger, Steven; Yoon, Nam Jin	2.0	P
L6118-2	Torts	Merrill, Thomas W.	4.0	B+

**Total Registered Points: 15.0**

**Total Earned Points: 15.0**

**Total Registered JD Program Points: 56.0**

**Total Earned JD Program Points: 56.0**

**Honors and Prizes**

Academic Year	Honor / Prize	Award Class
2022-23	James Kent Scholar	2L
2021-22	Harlan Fiske Stone	1L

**Pro Bono Work**

Type	Hours
Mandatory	40.0
Voluntary	7.0

This is not an official transcript. Courses which are in progress may also be included on this transcript.

Record of: Shelby Butt  
ID:: 801020457

Student Address:  
Date of Birth: 04-Jan  
Course Level: Undergraduate

**High Schools Attended:**

PHILLIPS ACADEMY  
ANDOVER MA

**Other Colleges Attended:**

WAKE FOREST UNIVERSITY  
WINSTON-SLM NC

**Degrees Awarded:**

B.S. in Foreign Service May 16, 2020  
School of Foreign Service  
Major: International Politics  
Minor: Arabic  
Concentration: International Security Studies  
Degree GPA: 3.842  
Honors: Cum Laude

**Transfer Credit:**

Advanced Placement  
Writing and Culture 3.00  
Art History Elective 3.00  
School Total: 6.00

**Transfer Credit:**

Wake Forest University  
The News in Context: Islam 3.00  
International Politics 3.00  
Introductory Psychology 3.00  
Studies in British Literature 3.00  
Politics of Human Rights 3.00  
Intro to Islamic Traditions 3.00  
School Total: 18.00

Language Proficiency: Spanish, Spring 2018

**Entering Program:**

School of Foreign Service  
B.S. in Foreign Service  
Major: International Affairs

Subj	Crs	Title	Crd	Grd	Pts	R
----- Summer 2017 -----						
ECON	001	Econ Principles Micro	3.00	A-	11.01	
Current						
		EHrs QHrs QPts GPA	3.00	3.00	11.01	3.670

**Program Changed to:**

Major: International Politics

Subj	Crs	Title	Crd	Grd	Pts	R
----- Fall 2017 -----						
ECON	002	Econ Principles Macro	3.00	B+	9.99	
HIST	007	Intro Early Hist: World I	3.00	A-	11.01	
PHIL	099	Political & Social Thought	4.00	A-	14.68	
SPAN	101	Adv Span: Transatlantic I	3.00	A-	11.01	
THEO	001	The Problem of God	3.00	A	12.00	

-----Continued on Next Column-----

Dean's List

Current	EHrs	QHrs	QPts	GPA	
	16.00	16.00	58.69	3.668	
----- Spring 2018 -----					
ECON	244	International Finance	3.00	B	9.00
GOVT	260	International Security	3.00	A-	11.01
INAF	008	Map of the Modern World	1.00	S	0.00
INAF	228	Islam and Terrorism	3.00	A	12.00
INAF	320	Quant Methods:Intrnl Affairs	3.00	A-	11.01
SPAN	102	Adv Span: Transatlantic II	3.00	A	12.00

Dean's List

Current	EHrs	QHrs	QPts	GPA	
	16.00	15.00	55.02	3.668	
----- Summer 2018 -----					
ARAB	011	Intens 1st Lev Mod Stand Arb I	6.00	A	24.00
ARAB	012	Intens 1st Lv Mod Stnd Arab II	6.00	A	24.00
ECON	243	International Trade First Honors	3.00	A	12.00

Current	EHrs	QHrs	QPts	GPA	
	15.00	15.00	60.00	4.000	
----- Fall 2018 -----					
ARAB	111	Intens 2nd Lv Md Stnd Arab I	6.00	A	24.00
HIST	160	Middle East I	3.00	A-	11.01
INAF	245	The Arab Spring and Israel	3.00	A	12.00
PHIL	118	Love, Relationships, & Ethics	3.00	A	12.00

Current	EHrs	QHrs	QPts	GPA	
	15.00	15.00	59.01	3.934	
----- Spring 2019 -----					
ARAB	112	Intens 2nd Lv Mod Stnd Arab II	6.00	A	24.00
GOVT	040	Comparative Political Systems	3.00	A-	11.01
HIST	159	Latin America II	3.00	A	12.00
IPOL	330	MilResources/ForPolicy	3.00	A	12.00

Current	EHrs	QHrs	QPts	GPA
	15.00	15.00	59.01	3.934

-----Continued on Next Page-----

This is not an official transcript. Courses which are in progress may also be included on this transcript.

Record of: Shelby Butt  
ID:: 801020457

Subj	Crs	Title	Crd	Grd	Pts	R
----- Fall 2019 -----						
ARAB	113	Spoken Arabic I	3.00	A	12.00	
ARAB	201	Intro to Islamic Civilization	3.00	A-	11.01	
CULP	221	Media & International Affairs	3.00	A-	11.01	
IPOL	210	Borders and Security Concerns	3.00	A	12.00	
IPOL	341	Terrorism: M East & N Africa	3.00	A	12.00	
Second Honors						
		EHrs	QHrs	QPts	GPA	
Current		15.00	15.00	58.02	3.868	
Subj	Crs	Title	Crd	Grd	Pts	R
----- Spring 2020 -----						
GOVX	460	Goldman UG Sem on Israel	3.00	A-	11.01	
IPOL	332	Homegrown Terrorism	3.00	A	12.00	
REES	458	Spies and Files	3.00	A	12.00	
Expanded S/CR/NC grade mode for Spring 2020 due to COVID19 Global Pandemic						
----- Transcript Totals -----						
		EHrs	QHrs	QPts	GPA	
Current		9.00	9.00	35.01	3.890	
Cumulative		128.00	103.00	395.77	3.842	
----- End of Undergraduate Record -----						

June 11, 2023

The Honorable Jamar Walker  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510-1915

Dear Judge Walker:

I have worked closely with Shelby Butt inside and outside the classroom, and I know she will make a superb clerk.

During the Fall of her 2L year, Shelby was a top student in my seminar on Cybersecurity, Data Privacy and Surveillance Law. Additionally, I advised Shelby on the Note she wrote for the Columbia Journal of Transnational Law (CJTL). Titled Old Laws and New Tricks: Interpreting Existing Legal Authorities to Regulate the Data Brokerage Industry. Her Note proposed using existing export-control regulations to circumscribe the sale of U.S. persons' sensitive personal data to foreign entities and individuals. Her work in the seminar and on the Note displayed outstanding research, writing, and analytical skills--including very careful and thoughtful parsing of difficult statutory, regulatory, and legislative history materials. She has all the makings of a terrific lawyer. Indeed, her work has been so outstanding that I have recruited her to serve next year as my research assistant.

Shelby has a sterling transcript--she is virtually a lock for some of our highest academic honors--and she is a leader in the Columbia Law School community, including serving as co-president of the National Security Law Society (I am a faculty advisor to that student group, so I had the great fortune of working with her to organize several terrific events and programs). Testifying further to the high regard in which her classmates hold her, Shelby now serves on the editorial board of the Columbia Journal of Transnational Law. As a highly-accomplished former scholar-athlete, she brings great energy to all her pursuits.

Shelby's professional experience to date shows her deep and longstanding interest in public service, and she hopes to pursue a career as a federal prosecutor or government attorney. I have been immensely impressed with Shelby's skills, intellect and work ethic and I know she will be a superb clerk and stellar public servant.

I highly recommend this outstanding candidate.

Sincerely,

Matthew Waxman  
Livi Librescu Professor of Law  
Faculty Chair of the National Security Law Program

Matthew Waxman - mwaxma@law.columbia.edu - 212-854-0592



COLUMBIA LAW SCHOOL  
435 West 116th Street  
New York, NY 10027

June 11, 2023

The Honorable Jamar Walker  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510-1915

**Re: Shelby Butt**

Dear Judge Walker:

I write to enthusiastically support the application of Shelby Butt — a rising Columbia Law School 3L, Class of 2024 — to clerk in your Chambers. She has a keen intelligence, excellent writing skills, wonderful organizational and leadership abilities, and a commitment to public service that together — and coupled with her determined and calm personality — would equip her perfectly for the job.

I've seen quite a lot of Shelby during her 2L year. In the Fall, she took my Criminal Adjudication course and the seminar on Cybersecurity, Data Privacy, and Surveillance Law that I teach with my colleagues Matt Waxman and Andrew Tannenbaum. And in the Spring, she took (and did exceedingly well in) my Federal Criminal Law course. I've also had numerous office conversations with Shelby about course materials, her deep national security law interests, and her future.

Every contact I'm had with Shelby has left me enormously impressed with her cutting intellect, excellent judgment and enormous discipline. In class, her contributions have invariably been thoughtful and insightful. Never flashy, Shelby chooses her words carefully and always gets to the heart of the matter. She also writes beautifully and cleanly, and for the cyber seminar, wrote a terrific paper on regulating the data brokerage industry. Even as Congress and state authorities start (fitfully) to come to grips with that vast, virtually unregulated industry, Shelby explored how, at least when it comes to the sale of US persons' data to foreign entities, the Export Control Reform Act of 2018 (ECRA) and the Export Administration Regulations (EAR) provide some basis for Commerce Department intervention. It was a masterful piece of thorough analysis, at the cutting edge of regulatory possibility, and powerful evidence of Shelby's ability to work through a new and complex regulatory framework in service of privacy and national security concerns.

Shelby's interest in national security matters is broad and deep. She went to Georgetown's Walsh School of Foreign Service, drawn by her interest in the Middle East and her desire to pursue a career in the Intelligence Community. She spent the summer before her senior year as a "token non-STEM hire" at the NSA (in Operations) and developed sufficient technical expertise to be offered a fulltime job there after graduation. She turned that down however, and, having more interest in human source collection, was about to start as an Operations Officer at CIA, when COVID intervened and delayed her clearance process. She used this time to attend Russian language school and improve her Arabic dialects, but also to reconsider her career choice and see law school as a way to continue to work in national security in new settings. The events of January 6 only confirmed her decision. She writes: "Turning down the opportunity to become a CIA Operations Officer is the hardest decision I've made to date, but a J.D. would only help me in a career protecting the people and Constitution of the United States, especially when some of the biggest threats are coming from within the country's own borders."

The meaningful work Shelby got to do during 1L summer at the EDNY USAO solidified her ambition to be an AUSA. She certainly has the judgment, intellect, and decency to be a terrific prosecutor — I just need her to speak a little more loudly. She's working on that, and what Shelby works on she succeeds at. I wasn't surprised to learn that she was a varsity lightweight rower at Georgetown, as discipline, time-management and dedication are foundational to the way she engages with the world.

With her cutting intelligence, hyper-competence, common sense, and commitment to public service, I expect great things of Shelby. I am also confident that she would be an extraordinary law clerk, a delight to work with and a career to watch. If there is anything else I can add, please give me a call.

Respectfully yours,

Daniel Richman

Dan Richman - drichm@law.columbia.edu - 212-854-9370

UNITED STATES DISTRICT COURT  
UNITED STATES COURTHOUSE  
500 PEARL STREET  
NEW YORK, NEW YORK 10007

JED S. RAKOFF  
UNITED STATES DISTRICT JUDGE

May 5, 2023

**Re: Shelby E. Butt**

Dear Judge:

This letter is written in my capacity as a long-time professor at Columbia Law School to enthusiastically recommend my teaching assistant Shelby Butt for a position as your law clerk. As the rest of this letter will demonstrate, Shelby has every quality needed to be an outstanding law clerk. Indeed, it is only because of my strict and long-standing policy against offering a clerkship to anyone who serves as my teaching assistant that I cannot grab her for my own law clerk!

Shelby is a classic case of someone who took a little while to get the "feel" of the law (- her initial grades her first semester were mixed -), but, once she did, not only achieved outstanding grades but also demonstrated that she had a brilliant legal mind. I know this first hand, because Shelby was a student her second semester in my Criminal Law class, a huge class of over 105 students where it would be easy to "disappear." But not Shelby! Not only did she give great answers when called upon in class, but also she turned in a near-perfect exam that put her at the very very top of the class - and led me to ask her to be my teaching assistant this year.

I expect a lot of my T.A.'s: teaching weekly review sessions, devising hypotheticals for each class, grading midterm exams, meeting with students individually, devoting substantial time to those students needing extra help, etc., etc. Shelby not only met this challenge - executing every aspect of the job in a helpful, indefatigable, and totally successful way - but did so with such warmth and conscientiousness that she was a great favorite with my students (and with me).

As you will see from Shelby's resume, she is also a very broad-based person with a wide variety of prior experiences that will make her even more an asset to your chambers. Among much else, before coming to law school, she served for a year as a U.S. intelligence officer and co-authored an excellent published article on the rise of far-right extremism in Russia. At the same time, she is totally down-to-earth, unpretentious, and a pleasure to work with.

In short, Shelby is both a marvelous person and a great student of the law, and has every quality needed to be a superb law clerk. I recommend her most highly!

Very truly yours,

A handwritten signature in black ink that reads "Jed S. Rakoff". The signature is written in a cursive, slightly stylized font.

Jed S. Rakoff

**SHELBY E. BUTT**

Columbia Law School J.D. '24

214-912-9875

seb2243@columbia.edu

**CLERKSHIP APPLICATION WRITING SAMPLE**

This writing sample is a paper I wrote for a course titled L9327-1: Seminar on Internet and Computer Crimes. The course considered how crimes committed in cyberspace challenge traditional investigatory and prosecutorial tools and covered topics such as the Fourth Amendment in cyberspace, the law of electronic surveillance, computer hacking, computer viruses, and cyberterrorism. Students were required to write two 2,000-word papers on a topic of their choice related to one of the issues discussed in class, and I wrote about the prospect of using the Computer Fraud and Abuse Act to prosecute Zoom-bombings, a cyber-harassment technique that gained popularity during the Covid-19 pandemic. I revised this paper in response to high-level feedback received from my seminar professor before submitting it as a writing sample.

## THE POTENTIAL FOR CFAA PROSECUTIONS OF ZOOM-BOMBINGS

**Introduction**

Zoom-bombing refers to the unwanted disruption of any video conference, usually by an uninvited participant using the platform's screensharing function to project racist, hateful, or pornographic material onto the screens of other meeting participants.<sup>1</sup> The practice gained popularity during the Covid-19 pandemic when many were forced to substitute virtual meetings for in-person events.<sup>2</sup> Since March 2020, Zoom-bombing incidents have impacted online classes,<sup>3</sup> Alcoholics Anonymous meetings,<sup>4</sup> religious services, and countless other virtual gatherings, often targeting meetings based on the identity of their participants.<sup>5</sup>

Because Zoom-bombing is a relatively new form of cybercrime, no federal or state statutes explicitly criminalize it. This leaves prosecutors the task of figuring out which, if any, existing statutes can be used to prosecute it. During the early days of the pandemic, the U.S. Attorney's Office for the Eastern District of Michigan indicated that Zoom-bombing could be prosecuted as a federal crime.<sup>6</sup> Although not explicitly cited in their press release, the Computer Fraud and Abuse Act (CFAA) is the federal statute most readily suited for this task because it provides a general prohibition against computer misuse.<sup>7</sup> As the rest of this paper demonstrates,

<sup>1</sup> Taylor Lorenz, 'Zoombombing': When Video Conferences Go Wrong, N.Y. TIMES (Mar. 20, 2020), <https://www.nytimes.com/2020/03/20/style/zoombombing-zoom-trolling.html>.

<sup>2</sup> FED. BUREAU OF INVESTIGATION, *FBI Warns of Teleconferencing and Online Classroom Hijacking During COVID-19 Pandemic* (Mar. 30, 2020), <https://www.fbi.gov/contact-us/field-offices/boston/news/press-releases/fbi-warns-of-teleconferencing-and-online-classroom-hijacking-during-covid-19-pandemic>.

<sup>3</sup> *Id.*

<sup>4</sup> Taylor Lorenz & Davey Alba, 'Zoombombing' Becomes a Dangerous Organized Effort, N.Y. TIMES (Apr. 7, 2020), <https://www.nytimes.com/2020/04/03/technology/zoom-harassment-abuse-racism-fbi-warning.html>.

<sup>5</sup> What is "Zoombombing" and Who is Behind It?, ANTI-DEFAMATION LEAGUE (May 4, 2020), <https://www.adl.org/resources/blog/what-zoombombing-and-who-behind-it>.

<sup>6</sup> *Federal, State, and Local Law Enforcement Warn Against Teleconferencing Hacking During Coronavirus Pandemic*, DEPT. JUST. (Apr. 3, 2020), <https://www.justice.gov/usao-edmi/pr/federal-state-and-local-law-enforcement-warn-against-teleconferencing-hacking-during>.

<sup>7</sup> ORIN S. KERR, *COMPUTER CRIME LAW* 30 (5th ed., 2022). Although several states have their own cybercrime statutes, this paper will focus on the CFAA and federal case law.

the ability to prosecute Zoom-bombing under the CFAA is highly dependent on the facts of the case and relevant jurisdiction's case law, and attacks on password-protected meetings are more likely to be prosecutable under the CFAA.

### **The Computer Fraud and Abuse Act – 18 U.S.C. § 1030**

The CFAA outlines seven categories of prohibited behavior, but § 1030(a)(2)(C) is most useful for prosecuting Zoom-bombing because it “prohibits accessing a computer without authorization . . . and obtaining information [from it].”<sup>8</sup> To prosecute an individual under § 1030(a)(2)(C), “the Government must prove that the defendant (1) intentionally (2) accessed without authorization . . . a (3) protected computer and (4) thereby obtained information [from it].”<sup>9</sup> To assess the potential for prosecuting Zoom-bombings under the CFAA, each of these elements will be evaluated below.

#### Element One: “Intentionally”

Section 1030(a)(2)(C)'s first and third elements are easily satisfied in the context of Zoom-bombing. Intentionality, the first element, is shown by the steps a Zoom-bomber must take to carry out an attack, including clicking on the meeting's access link, typing in a password (if required), and instructing his computer to share the offensive content from his screen to those of the other participants. This multi-step process leaves little room for a defendant to argue he lacked intentionality because he took a series of specific steps to cause the ultimate result – the Zoom-bombing.

---

<sup>8</sup> *Id.* Note that § 1030(a)(2)(C) also prohibits “exceed[ing] authorized access” to a computer, but “access without authorization” is more useful in the context of Zoom-bombing and will be the focus of this paper.

<sup>9</sup> *United States v. Auernheimer*, 748 F.3d 525, 533 (3d Cir. 2014).

Additionally, some Zoom-bombings are carried out by organized groups that coordinate their attacks using virtual message boards like Reddit and 4Chan.<sup>10</sup> Evidence that a defendant engaged in planning a coordinated Zoom-bombing on one of these websites would make it even more difficult for him to argue he did not act intentionally because any statements he made to others when planning the attack would memorialize his specific intent to carry it out.

#### Element Three: “Protected Computer”

Like its intentionality requirement, the CFAA’s broad definition of “protected computer” makes the third element of § 1030(a)(2)(C) easy to meet in the context of Zoom-bombing. The statute defines “protected computer” to include “any device for processing or storing data . . . [that is] used in or affecting interstate or foreign commerce or communication.”<sup>11</sup> In practice, courts have interpreted this provision to cover any computer that connects to the Internet.<sup>12</sup> Since Zoom and other teleconferencing platforms require an Internet connection to function, the CFAA’s third element will inevitably be met in any Zoom-bombing prosecution.

Additionally, under current CFAA case law, the defendant does not have to directly access the victim’s computer to meet the “protected computer” requirement because courts have found other technological connections between the defendant and victim to satisfy this requirement. For example, courts have found a defendant accessing a victim’s website sufficient to meet the CFAA’s “protected computer” requirement because websites are hosted by the victim’s computer server, so anyone who accesses a website also connects to the server.<sup>13</sup> Like websites, Zoom and other videoconferencing platforms facilitate virtual meetings amongst

---

<sup>10</sup> Lorenz, *supra* note 4.

<sup>11</sup> 18 U.S.C. § 1030(e)(1)–(2)(B).

<sup>12</sup> See *United States v. Yücel*, 97 F. Supp. 3d 413, 418–419 (S.D.N.Y. 2015) (collecting cases).

<sup>13</sup> *hiQ Labs, Inc. v. LinkedIn Corp.*, 31 F.4th 1180, 1195 (9th Cir. 2022).

individual computers by connecting them through the parent company's servers. Thus, just as a defendant accessing a website by connecting with its server satisfies the CFAA's "protected computer" requirement, a Zoom-bomber accesses a "protected computer" by connecting to the platform's server when joining the virtual meeting to carry out his attack.<sup>14</sup>

#### Element Two: "Access Without Authorization"

The CFAA's second element is more challenging to meet in the context of Zoom-bombing, though attacks targeting password-protected meeting may constitute "access[] without authorization" under the statute.<sup>15</sup> The CFAA does not define "access" or "authorization," but recent case law provides guidance on their contours in the Zoom-bombing context. In *Van Buren v. United States*, the Supreme Court interpreted "access" as used in the CFAA to mean "the act of entering a computer system itself."<sup>16</sup> Since post-*Van Buren* cases continue to hold websites are "protected computers,"<sup>17</sup> a Zoom-bomber's entrance into a virtual meeting will constitute "access" under the statute, even if he does not enter the meeting participants' computers themselves.

The "without authorization" portion of § 1030(a)(2)(C) makes the biggest difference in determining which Zoom-bombings fall within the CFAA's scope because courts have generally interpreted "without authorization" to mean the defendant accessed the computer, website, or software program without permission.<sup>18</sup> For password-protected virtual meetings, the

<sup>14</sup> ZOOM VIDEO COMMS., *Connection Process*, <https://explore.zoom.us/docs/doc/Zoom%20Connection%20Process%20Whitepaper.pdf> (last accessed Feb. 21, 2022) ("A Zoom Meeting Zone is a logical association of servers that are physically co-located that can host a Zoom session.").

<sup>15</sup> § 1080(a)(2)(C).

<sup>16</sup> 141 S. Ct. 1648, 1658 (2021).

<sup>17</sup> See *hiQ Labs*, 31 F.4th at 1195.

<sup>18</sup> *Id.*



defendant's lack of permission in accessing the meeting is easy to show if he hacks into the meeting, bypassing any password requirement.<sup>19</sup> Additionally, case law indicates a Zoom-bomber who accesses a meeting using a legitimate password that he himself was not authorized to use could violate the CFAA, even though he did not circumvent the meeting's password requirement.<sup>20</sup> This could happen if the Zoom-bomber knows one of the meeting's participants, asks that person for the meeting password, logs into the meeting using it, and then carries out the Zoom-bombing attack. In at least the Ninth Circuit, this conduct would violate the CFAA because the perpetrator himself was not authorized to use the meeting password, so his use of it to enter the meeting is still "without authorization" even though the password itself is correct.

Access "without authorization" is harder to prove for non-password-protected meetings because the defendant's ability to enter the virtual meeting without circumventing a password requirement makes the meeting akin to a public-facing website, which some courts have held cannot be accessed "without authorization" due to their lack of limitations on access.<sup>21</sup> Other courts, however, have held that a website's lack of password protection does not render it completely without access requirements, especially when the material featured on the website is sensitive in nature and the defendant knows the website link is not publicly distributed.<sup>22</sup> This could be helpful for prosecutors in situations where the Zoom meeting itself is not password-protected but the link to it is not publicly distributed. For example, in a case where the non-password-protected virtual meeting link is shared amongst friends and the defendant somehow obtains the link and accesses the meeting to carry out a Zoom-bombing, a prosecutor could argue

---

<sup>19</sup> See *United States v. Phillips*, 477 F.3d 215, 220–221 (5th Cir. 2007) (where a defendant's use of a "brute-force" computer program to access a university's computer system constituted access "without authorization.").

<sup>20</sup> See *United States v. Nosal*, 844 F.3d 1024, 1038 (9th Cir. 2016).

<sup>21</sup> *hiQ Labs*, 31 F.4th at 1180.

<sup>22</sup> *Vox Mktg. Grp. v. Prodigy Promos*, 556 F. Supp. 3d 1280, 1287 (D. Utah 2021).

the link’s non-public nature indicated to the defendant that he lacked authorization to enter the meeting, even if he did not have to circumvent a password requirement to do so.

Alternatively, the prosecution could argue that the Zoom-bomber’s conduct once inside the non-password-protected meeting violated the platform’s terms of service, which prohibit the display of hateful conduct, violent content, and pornography, making his use of the platform unauthorized.<sup>23</sup> However, this argument will likely fail because most courts have declined to find violating a website’s terms of service sufficient to trigger CFAA liability, citing due process concerns like lack of notice and the negative public policy implications of turning minor, everyday computer violations, like using a work computer to check personal email, into federal crimes.<sup>24</sup>

#### Element Four: “Obtains Information”

Legislative history and subsequent case law indicate that the standard for showing a defendant “obtain[ed] information” under § 1030(a)(2)(C) is low and will be satisfied “whenever a person using a computer contacts an Internet website and [his computer] reads any response from that site.”<sup>25</sup> In the context of Zoom-bombing, this fourth element is likely satisfied by the perpetrator clicking on the meeting link to request access to the virtual meeting, his request being transmitted through the Internet to Zoom’s server, and the signal granting him access to the meeting being transmitted from the server back to his computer. The meeting being password-protected could also bolster the prosecution’s argument that the defendant “obtained information” from Zoom’s server because the Zoom-bomber’s submission of the password to the

<sup>23</sup> See ZOOM, *Acceptable Use Guidelines*, <https://explore.zoom.us/en/acceptable-use-guidelines/> (last accessed Feb. 21, 2023).

<sup>24</sup> See *hiQ Labs*, 31 F.4th at 1180; *Facebook, Inc. v. Power Ventures, Inc.*, 844 F.3d 1058, 1068 (9th Cir. 2016); *Sandvig v. Barr*, 451 F. Supp. 3d 73, 87 (D.D.C. 2020).

<sup>25</sup> *United States v. Drew*, 259 F.R.D. 449, 457–458 (C.D. Ca. 2009).

server and the server granting him access to the meeting is an even clearer instance of the defendant's computer contacting the server and reading a response from it.

## Conclusion

The ability to prosecute a Zoom-bombing attack using the CFAA is highly dependent on the facts of the case and the relevant court's case law. Zoom-bombings of password-protected meetings likely can be prosecuted under the CFAA because they meet the requirements of § 1030(a)(2)(C) as interpreted in current case law, but non-password-protected meetings are less likely to do so. In particular, proving access "without authorization" for non-password-protected meetings is challenging given many courts' presumption that websites viewable without a password cannot be accessed "without authorization."

Although the CFAA may not apply to all instances of Zoom-bombing, state computer crime laws or federal laws prohibiting the content shared by the Zoom-bomber, like those criminalizing the possession and dissemination of child pornography, may prove useful in prosecuting Zoom-bombings of non-password-protected meetings. These alternative grounds for prosecution are important because not all meeting hosts can realistically use restrict access to their meetings by implementing password protection or not publicly distributing the meeting link. For example, in some States, meetings implicating a public interest, such as townhalls or school board meetings, are required to be open to the public,<sup>26</sup> and many religious services and support groups, like Alcoholics Anonymous, likely want their meetings to remain publicly accessible to encourage potential members to join. Even if CFAA charges cannot be brought in these situations, prosecuting a Zoom-bombing incident under a different statute is the best route

---

<sup>26</sup> See N.Y. STATE SCH. BD. ASS'N, PUBLIC COMMENT GUIDE, [https://www.nyssba.org/clientuploads/nyssba\\_pdf/Events/get-to-know-nyssba-07142021/NYSSBA\\_FAQ\\_Public\\_Comment\\_5520.pdf](https://www.nyssba.org/clientuploads/nyssba_pdf/Events/get-to-know-nyssba-07142021/NYSSBA_FAQ_Public_Comment_5520.pdf) (last accessed Feb. 21, 2023).

to punish to perpetrator and deter against future attacks while keeping these virtual meetings open to all.

## Applicant Details

First Name **Cameron**  
 Last Name **Campbell**  
 Citizenship Status **U. S. Citizen**  
 Email Address [cameron3@bu.edu](mailto:cameron3@bu.edu)  
 Address

**Address**  
**Street**  
**41 Mansfield Street**  
**City**  
**Allston**  
**State/Territory**  
**Massachusetts**  
**Zip**  
**02134**  
**Country**  
**United States**

Contact Phone Number **603-913-5538**

## Applicant Education

BA/BS From **Stanford University**  
 Date of BA/BS **June 2016**  
 JD/LLB From **Boston University School of Law**  
[http://www.nalplawsonline.org/ndlsdir\\_search\\_results.asp?lscd=12202&yr=2009](http://www.nalplawsonline.org/ndlsdir_search_results.asp?lscd=12202&yr=2009)  
 Date of JD/LLB **May 19, 2024**  
 Class Rank **I am not ranked**  
 Does the law school have a Law Review/Journal? **Yes**  
 Law Review/Journal **No**  
 Moot Court Experience **Yes**  
 Moot Court Name(s) **Edward C. Stone Moot Court Competition**  
**Homer Albers Prize Moot Court Competition**

**Bar Admission**

**Prior Judicial Experience**

Judicial Internships/ Externships      **No**  
Post-graduate Judicial Law Clerk      **No**

**Specialized Work Experience**

**Recommenders**

Katz, Aaron  
akatz@aaronkatzlaw.com  
(617) 915-6305  
Blazina, Francesca  
fblazina@barachfamilylaw.com  
(617) 819-1805  
McCloskey, Jennifer Taylor  
jataylor@bu.edu  
(617)353-3199

**This applicant has certified that all data entered in this profile and any application documents are true and correct.**

## Cameron M. Campbell

41 Mansfield Street, Apartment 2 • Allston, MA, 02134  
(603) 913-5538 • [cameron3@bu.edu](mailto:cameron3@bu.edu)

June 17, 2023

The Honorable Jamar K. Walker  
United States District Court for the Eastern District of Virginia  
Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510

Dear Judge Walker,

I am a rising third-year student at Boston University School of Law, and I am writing to apply for a judicial clerkship with your chambers for the 2024-2025 term. I am especially excited to begin my legal career in your chambers because of your wealth of experience trying white collar crime cases as a federal prosecutor. I believe that my talents for research, attention to detail, and legal problem-solving will make me an asset to your chambers.

Competing in Mock Trial as a high school student sparked my love for legal research, public speaking, and trial advocacy, and I have continued to develop my skills ever since. During my first year of law school, I was recognized for my academic performance with the Dean's Award in Civil Procedure, signifying the highest grade in my section. I focused my second-year curriculum on the fundamentals of trial and appellate practice, including coursework in Criminal Procedure, Evidence, Trial Advocacy, and Administrative Law. My experience drafting and presenting an appellate brief for the 2022 Stone Moot Court Competition was one of the highlights of my fall semester, and I was recognized for my legal research and writing skills with a Best Brief award.

The following spring, my partner and I once again submitted the highest scoring brief in the Albers Moot Court Competition and reached the semifinals after four rounds of oral argument. This past April, as the highest-scoring attorney at Harvard's Crimson Cup Mock Trial competition, I was honored with a Best Advocate award and led our team to a fourth-place finish. This coming academic year, as a student prosecutor with Boston University's Criminal Clinic, I will have the opportunity to try a variety of criminal matters on behalf of the Commonwealth of Massachusetts. I also look forward to serving as one of the directors of the 2024 Albers competition.

This summer, I am thrilled to be working as an intern with the Criminal Bureau of the New Hampshire Office of the Attorney General. This experience has already given me many opportunities to apply the research, analysis, and oral advocacy skills I have developed throughout law school.

Enclosed are my resume, my official law school transcript, and a writing sample, my appellate brief for Boston University's Albers Moot Court Competition. Recommendation letters from Jen McCloskey, the director of Boston University's advocacy programs, Aaron Katz, my Trial Advocacy instructor, and Francesca Blazina, my supervisor at Barach Law Group, will be sent separately. I would greatly appreciate the opportunity to interview with you and will be available to meet at your convenience. Thank you for your time and consideration.

Sincerely,

Cameron Campbell

## Cameron M. Campbell

41 Mansfield Street, Apartment 2 • Allston, MA 02135

(603) 913-5538 • cameron3@bu.edu

### EDUCATION

#### Boston University School of Law

*Candidate for Juris Doctor*

Boston, MA

May 2024

GPA: 3.47

Honors: Harvard Crimson Cup Mock Trial Competition, Spring 2023 – Best Advocate, Team Captain  
Homer Albers Prize Moot Court Competition, Spring 2023 – Best Brief, Semifinal Oralist  
Edward C. Stone Moot Court Competition, Fall 2022 – Best Brief  
Dean's Award in Civil Procedure – Fall 2021

Activities: Homer Albers Prize Moot Court Competition – Director, Spring 2024  
Mock Trial Team – Vice President, 2022-2024  
Negotiation Competition – Intramural Finalist, Fall 2021

#### Stanford University

*Bachelor of Arts in History / Minor in Creative Writing*

Stanford, CA

June 2016

GPA: 3.75

Publications: Published in *Herodotus Undergraduate History Journal*, Spring 2016

Activities: Mock Trial Team – Competing Team Captain  
Musical Theater – *Les Misérables*, *Into the Woods*

### EXPERIENCE

#### Boston University Criminal Law Clinical Program

*Student Prosecutor*

Boston, MA

September 2023 – May 2024

#### New Hampshire Office of the Attorney General

*Legal Intern, Criminal Bureau*

Concord, NH

June-August 2023

- Research, draft, and edit appellate briefs for submission to the Supreme Court of New Hampshire
- Perform legal research, review evidentiary documents, and offer feedback on oral arguments, openings, and closings in preparation for trial and appeal
- Examine witnesses, present offers of proof, and make closing arguments on behalf of the State of New Hampshire in proceedings before the state Board of Claims

#### Barach Law Group LLC

*Legal Intern*

Framingham, MA

June-September 2022

- Conducted client intake, trial preparation, and document writing for family law practice
- Drafted and filed pleadings for divorce, alimony, custody, and childcare-related matters
- Supported nearly two dozen different clients by conducting legal and financial research

#### Walmart Inc.

*Customer Service Representative*

Bellingham, MA

August 2020 – January 2021

- Resolved customer questions, concerns, and complaints and conducted financial transactions

#### PrepScholar, Inc.

*Content Writer & Team Lead*

Cambridge, MA

April 2017 – February 2020

- Composed original lessons, explanations, passages, and videos to help students prepare for standardized tests

#### Pinkerton Academy & Hudson School District

*Substitute Teacher*

Derry, NH & Hudson, NH

November 2016 – April 2017

- Explored concepts in science, mathematics, and the humanities with middle and high school classes

#### Hume Center for Writing & Speaking, Stanford University

*Oral Communication Tutor*

Stanford, CA

September 2014 – June 2016

- Taught public speaking, presentation design, and rhetorical skills to undergraduate and graduate students

### LANGUAGE SKILLS, VOLUNTEER WORK, AND INTERESTS

**Languages:** Proficient in German

**Volunteer Work:** 2021 MIT Mock Trial Invitational – Volunteer Judge

**Interests:** Baking, Dungeons & Dragons, hiking, mixology, and musical theatre



BOSTON UNIVERSITY SCHOOL OF LAW

Name: CAMPBELL, CAMERON M

Date Entered: 09/07/2021

Colleges and Degrees:

STANFORD UNIVERSITY, B.A. 6/12/2016

Degree Awarded:

Date Graduated:

Honors:

Other Law School Attendance:

Academic Record		Credits	Grades
Semester 1 - 2021 -2022			
CIVIL PROCEDURE (D)	COLLINS	4	A+
CONTRACTS (D)	O'BRIEN	4	B+
LAWYERING SKILLS I	VOLK	2.5	B+
TORTS (D1)	BORENSTEIN	4	B+
Semester 2 - 2021 -2022			
CONSTITUTIONAL LAW (D)	WEXLER	4	B
CRIMINAL LAW (D)	LEONARD	4	A-
LAWYERING SKILLS II	VOLK	2.5	B+
MOOT COURT	VOLK	-	P
PROPERTY (D)	LAWSON	4	B

Year	Hours	Weighted Points	Weighted Average					
1st	29	98.90	3.41					

Semester 1 - 2022 -2023								
BUSINESS FUNDAMENTALS	TUNG	-	*					
CONTRACT DRAFTING	DECAPO	3	B+					
CRIMINAL PROCEDURE: ADJUDICATORY	LEONARD	3	B+					
EVIDENCE	OKIDEGBE	4	B+					
INTERNATIONAL LAW	KOH	4	B+					
Semester 2 - 2022 -2023								
ADMINISTRATIVE LAW	LAWSON	4	A-					
LAWYERING LAB	D'AMATO	1	P					
PROFESSIONAL RESPONSIBILITY	DONWEBER	3	A-					
TRIAL ADVOCACY	KATZ	3	A					
WHITE COLLAR CRIME	D'ADDIO/KOSTO	3	A-					

Year	Hours	Weighted Points	Weighted Average	Cumulative Hours	Cumulative Points	Cumulative Average		
2nd	27/28	95.20	3.53	56/57	194.10	3.47		

Semester 1 - 2023 -2024								
APPELLATE ADVOCACY PROGRAM DIRECTOR	MCCLOSKEY	3	*					
CRIMINAL MOTION PRACTICE & ADVOCACY	VITALI	3	*					
CRIMINAL TRIAL ADVOCACY	WILSON	3	*					
CRIMINAL TRIAL PRACTICE I	WILSON	5	*					
Semester 2 - 2023 -2024								
CRIMINAL TRIAL PRACTICE II/PROSECUTORS	WILSON	5	*					
HOMICIDE INVESTIGATIONS & TRIALS	RONAN	3	*					
PERSUASIVE WRITING: TRIAL LEVEL	D'AMATO	3	*					
WRITING FOR LEGAL CHANGE	HODO WALKER	3	*					

Year	Hours	Weighted Points	Weighted Average	Cumulative Hours	Cumulative Points	Cumulative Average	Total Hours	Final Average
3rd			0.00	56/57	194.10	3.47	56/57	3.47

1974 Family Educational Rights and Privacy Act Information

The information contained on this transcript is not subject to disclosure to any other party without the expressed written consent of the student or his/her legal representative. It is understood this information will be used only by the officers, employees and agents of your institution in the normal performance of their duties. When the need for this information is fulfilled, it should be destroyed.

Status: (Good Standing is certified unless otherwise noted)

This record is a certified transcript only if it bears an official signature below.

*Aida E. Ten*  
Aida E. Ten, Registrar

Date Printed: 6/12/2023

## Boston University School of Law Transcript Guide

### SYMBOLS OR ABBREVIATIONS

AUD	Audit	H	Honors
CR	Credit	NC	No credit
P	Pass	F	Fail
W/D	Withdrawal from course		
*	Indicates currently enrolled		
(C)	Clinical		
(S)	Seminar		
(Y)	Year-long course		

**Academic Qualifications—JD Program:** The School of Law has a letter grading system in courses and seminars. The minimum passing grade in each course and seminar is a D. Beginning with the Class of 2017, a minimum of eighty-five passing credit hours must be completed for graduation. Prior classes required a minimum of eighty-four passing credit hours. The minimum average for good standing is C (2.0) and the minimum average for graduation is C+ (2.3). Prior to 2006 the minimum average for good standing and graduation was C (2.0).

### GRADING SYSTEM

1. **Current Grading System** The following letter grade system is effective fall 1995. The faculty has set the following as an appropriate scale of numerical equivalents for the letter grading system used in the School of Law:

A+	4.3	C+	2.3
A	4.0	C	2.0
A-	3.7	C-	1.7
B+	3.3	D	1.0
B	3.0	F	0
B-	2.7		

For all courses and seminars with enrollments of 26 or more, grade distribution is mandatory as follows:

A+	0-5%
A+, A, A-	20-30%
B+ and above	40-60%
B	10-50%
B- and below	10-30%
C+ and below	0-10%
D, F	0-5%

### 2. Fall 1995-Spring 2008

For first-year courses with enrollment of twenty-six or more, grade distribution is mandatory as follows:

A+	0-5%
A+, A, A-	20-25%
B+ and above	40-60%
B	10-50%
B- and below	10-30%
C+ and below	5-10%
D, F	0-5%

### 3. 1991 Changes to Letter Grade System.

The curve is mandatory for all seminars or courses with enrollments of twenty-six or more.

Grade	Number	Equivalent	Curve
A+	4.5		
A	4.0	15-20%	
B+	3.5		
B	3.0	50-60%	
C+	2.5		
C	2.0	20-35%	
D	1.0		
F	0		

The median for all courses with enrollments of twenty-six or more is B. For smaller courses, a median of B+ is recommended but not required.

### GRADES FOR COURSES TAKEN OUTSIDE THE SCHOOL OF LAW

Grades for courses taken outside of BU Law are recorded as transmitted by the issuing institution or as CR. Credit toward the degree is granted for these courses and no attempt is made to convert those grades to the BU Law grading system. The grade is not factored into the law school average.

### CLASS RANKS

BU Law does not rank students in the JD program with the following exceptions:

#### Mid-Year Ranks

Effective May 2014, the Registrar is authorized to release the g.p.a. cut-off points to the top 5%, 10%, 15%, 20%, 25% and one-third for the fifth semester in addition to third semester reporting adopted May 2013 and yearly reporting of the same.

#### Effective January 2013

For students who have completed their third semester, with respect to the cumulative average earned during the fall semester, the Registrar will inform the top fifteen students of their rank and will provide g.p.a. cut-off points for the top 10 percent, 25 percent and one-third of the class. This is in addition to the yearly reporting described below.

#### Effective May 2011

For students who have completed their first year, the Registrar will inform the top five students in each section of their section rank and will provide grade point average cut-offs for the top 10 percent, 25 percent and one-third of each section.

For students who have completed their second year or third year, with respect to both the average earned during the most recent year and cumulative average, the Registrar will inform the top fifteen students of their rank and will provide g.p.a. cut-off points for the top 10 percent, 25 percent and one-third of the class.

#### Class of 2008 and subsequent classes through April 2011.

For students who have completed their first year, the Registrar will inform the top five students in each section of their section rank and will provide g.p.a. cut-off points for the top 10 percent of each section.

For students who have completed the second year or third year, with reference to both the second-year or third-year g.p.a. and cumulative g.p.a., the Registrar will inform the top fifteen students in the class of their ranks and will provide g.p.a. cut-off points for the top 10 percent of the class.

#### Scholarly Categories (Based on yearly averages only)

**Class of 2008 and subsequent classes:**  
**First Year** – the top five students in each first-year section will be

designated G. Joseph Tauro

Distinguished Scholars. The remaining students in the top ten percent of each first-year section will be designated G. Joseph Tauro Scholars.

**Second Year** – the top fifteen students in the second year class will be designated Paul J. Liacos Distinguished Scholars. The remaining students in the top ten percent of the second-year class will be designated Paul J. Liacos Scholars.

**Third Year** – the top fifteen students in the third year class will be designated Edward F. Hennessey Distinguished Scholars. The remaining students in the top ten percent of the third-year class will be designated Edward F. Hennessey Scholars.

### Graduate Program Transcript Guides

#### LL.M. in Taxation

#### Current Grading System:

A+	4.3	C+	2.3
A	4.0	C	2.0
A-	3.7	C-	1.7
B+	3.3	D	1.0
B	3.0	F	0
B-	2.7		

The grade averages of continuing part-time students whose enrollment began before the fall 1995 semester were converted to the new number equivalents.

#### Fall 1991 to Spring 1995

From the fall 1991 semester through the spring 1995 semester, the following letter grading system was in effect for students who were graduated before the fall 1995 semester:

A+	4.5	C+	2.5
A	4.0	C	2.0
B+	3.5	D	1.0
B	3.0	F	0.0

#### Current Degree Requirements

Effective May 2016, completion of 24 credits. Minimum average of 2.3 and no more than one grade of D.

#### Spring 1993 to Fall 2015

Completion of 24 credits. Minimum average of 3.0 and no more than one grade of D.

#### Fall 1991 to Fall 1993

Completion of ten courses (20 credits). Minimum average of 3.0 (with no more than one grade below 1.0).

#### LL.M. in Banking and Financial Law

#### Current Grading System

A+	4.3	C+	2.3
A	4.0	C	2.0
A-	3.7	C-	1.7
B+	3.3	D	1.0
B	3.0	F	0
B-	2.7		

#### Current Degree Requirements

Effective April 2016, completion of 24 credits with a minimum average of 2.7 and no more than one grade of D or F.

#### Fall 2012 to Spring 2016

Completion of 24 credits with a minimum average of 3.0 and no more than one grade of D or F.

#### Fall 1991 to Fall 2012

Completion of ten courses (20 credits). Minimum average 3.0 (with no more than one grade below 1.0).

#### LL.M. in American Law

#### Current Grading System:

A+	4.3	C+	2.3
A	4.0	C	2.0
A-	3.7	C-	1.7
B+	3.3	D	1.0
B	3.0	F	0
B-	2.7		

#### Current Degree Requirements

Completion of twenty-four course credits with at least ten credits per semester. The minimum average for good standing and graduation is 2.3. Minimum course average is 2.0.

#### LL.M. in Intellectual Property Law

#### Current Grading System:

A+	4.3	C+	2.3
A	4.0	C	2.0
A-	3.7	C-	1.7
B+	3.3	D	1.0
B	3.0	F	0
C-	2.7		

#### Current Degree Requirements

Completion of twenty-four course credits with at least ten credits per semester. The minimum average for good standing and graduation is 2.3. Minimum course average is 2.0.

#### Executive LL.M. in International Business Law

#### Current Grading System:

A+	4.3	C+	2.3
A	4.0	C	2.0
A-	3.7	C-	1.7
B+	3.3	D	1.0
B	3.0	F	0
B-	2.7		

#### Current Degree Requirements

Effective Spring 2014, completion of twenty credits with a minimum g.p.a. of 3.0 including the successful completion (CR) of two colloquia.

#### Grading System prior to Spring 2014

Honors (H)	Credit (CR)
Very Good (VG)	No Credit (NC)
Pass (P)	Fail (F)

#### Requirements Prior to Spring 2014

Completion of six courses (18 credits) and two colloquia (2 credits) for a total of 20 credits. The minimum passing grade for each course is Pass (P). The minimum passing grade for each colloquium is Credit (CR).

5/2016 rev2

*Boston University's policies provide for equal opportunity and affirmative action in employment and admission to all programs of the University.*



*Transcript Guide Addendum*

**JURIS DOCTOR PROGRAM**

**LL.M. IN AMERICAN LAW PROGRAM**

**LL.M. IN INTELLECTUAL PROPERTY LAW PROGRAM**

**Grading System – Distribution Requirements**

**Effective Fall 2019**

For all courses and seminars with enrollments of 26 or more, grade distribution is mandatory as follows:

A+	2-5 %
A+, A	15-25%
A+, A, A-	30-40%
B+ and above	50-70%
B	15-50%
B- and below	0-15%
C+ and below	0-10%
D, F	0-5%

**Fall 2020**

The distribution requirement for Fall 2020 upper-class courses with 26 or more students was suspended. Upper-level courses with 26 or more students were required to conform to a B+ median.

**Effective Spring 2021**

For all upper-level courses with an enrollment of 26 or more a B+ median is required with the following additional constraints:

A+	Maximum 5%
A+, A, A-	Minimum 30%
B and below	Minimum 10%
B- and below	Maximum 15%
C+ and below	0-10%
D, F	0-5%

## AARON KATZ LAW LLC

399 Boylston Street, 6<sup>th</sup> Floor  
Boston, MA 02116

---

Aaron M. Katz  
(617) 915-6305  
akatz@aaronkatzlaw.com

June 17, 2023

Dear Judge:

It is my pleasure to recommend Cameron Campbell for a judicial clerkship in your chambers. As background, I am a litigator specializing in white collar criminal defense, the False Claims Act, and federal habeas corpus. I routinely appear in federal courts across the country, both at the trial and appellate levels. After graduating from Harvard Law School in 2004, I clerked on the U.S. Court of Appeals for the Second Circuit. I then practiced law at Ropes & Gray LLP for 17 years and was an equity partner at the firm from 2013 through 2022. Since 2021, I have been an adjunct professor at Boston University School of Law, teaching Trial Advocacy. My Trial Advocacy course combines (1) workshops that teach students basic and advanced trial skills; (2) a full mock trial where students, working in teams, try a case from opening statement through closing argument; and (3) participatory classroom lectures that address a variety of subjects, including advocacy theories, behavioral psychology, Rules of Evidence, and procedural rules.

Cameron was a member of my Trial Advocacy course for the Spring 2023 semester. Cameron was among the top students in the class. Cameron is a naturally gifted orator with the potential to be an excellent trial lawyer. What really set Cameron apart, however, was the thoughtfulness of his participation in classroom lectures. In addition to being thoroughly prepared for each class, Cameron demonstrated himself to be a deep and complex thinker. The views he expressed during lectures were never superficial; they always reflected serious thought, introspection, and preparation. Cameron was also an excellent listener, readily incorporating new information that I provided as well as opinions that his classmates expressed. Cameron never assumed that his initial views were right. Instead, he consistently sought to test and challenge his initial views to determine whether they could stand up to scrutiny and, if they could not, how they should be modified.

Cameron was beloved by his classmates. Cameron certainly enjoyed debating with me and his classmates during lectures, but these debates were always collegial, respectful, and enjoyable. Cameron fully and honestly listened to the other members of the class. He clearly honored and recognized the value of his classmates' diverse opinions, which in turn earned him the respect and admiration of his classmates. I have no doubt that Cameron would take this same approach in your chambers. In short, I am confident that Cameron would be an outstanding judicial clerk, both culturally and intellectually.